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Council Journal

Fifteenth Session First Day.

Council Chamber, Helena, Montana,
January 10th 1887.

At the Regular Fifteenth Session of the Legislative Assembly of the Territory of Montana, begun and held at the City of Helena, in said Territory, on Monday, the Tenth day of January A.D. 1887, pursuant to the laws of the United States and of the Territory of Montana,

At the hour of 12 o'clock M., the Hon. William B. Webb, Secretary of the Territory of Montana, took the Chair, and called the members present of the Council elect, to order, and appointed the Hon. James K. Pardee of Deer Lodge, Clerk pro tem.

The Chairman then called over the Council Districts, in their order, and the following named persons, claiming to be members, presented their Certificates of election, to wit:

From Beaverhead County -	George L. Batchelder
" Choteau	Timothy E. Collins
" Custer	J. J. Thompson
" Dawson & Yellowstone	Ela C. Waters
" Deer Lodge	James K. Pardee
" Gallatin	Samuel L. Holliday
" Madison	Richard O. Wickman
" Missoula	Will Kennedy
" Silver Bow	John E. Richards

The Council took a recess for ten minutes.

Council resumed.

From Choteau County, Timothy E. Collins presented his Certificate of election as a member of this Council, and

From Lewis and Clarke County, William R. Hundley was admitted to take his seat.

Council Journal - First Day
 Now, James H. McLeary, Associate Justice of
 the Supreme Court of Montana Territory, being
 present, on request, administered to each and
 all of the members present the oath of office
 prescribed by law, which oath being reduced
 to writing was by the members respectively sub-
 scribed and is in the words and figures follow-
 ing to wit:

Territory of Montana,
 County of Lewis and Clark, ss

The undersigned, being first duly sworn,
 each for himself, and not one for the other,
 deposes and says,

I do solemnly swear that I will support,
 protect and defend the Constitution of the
 United States and the Organic Act of the Ter-
 ritory of Montana, and that I will discharge
 the duties of my office with fidelity; That
 I have not contributed, or promised to pay
 or contribute, either directly or indirectly,
 any money or other valuable thing to procure
 my election, except for necessary and proper
 expenses, expressly authorized by law;

That I have not knowingly violated any
 election law of this Territory, or procured it
 to be done by others in my behalf;

That I will not knowingly receive, directly
 or indirectly, any money or other valuable
 thing for the performance or non performance
 of any act or duty pertaining to my office,
 other than the compensation allowed by law.

Ela C. Waters = Timothy E. Collins, G. L. Patchell
 Richard O. Wickman = S. L. Holliday, J. E. Rickards
 J. Thompson = J. K. Pender,
 Willie Kennedy = W. B. Hurdley

I do hereby certify that I administered the
 foregoing oath to the above named members
 of the Council of Montana Territory, on the
 10th day of January A.D., 1887; That I administered
 said oath in the Council Chamber in Helena
 County and Territory aforesaid, and that the of-
 fice mentioned in the foregoing oath is that of a mem-
 ber of the Council of said Territory.

James H. McLeary, Associate Justice of Montana,

Council Journal First Day.

On motion of Kennedy, the Council proceeded to the election of the officers prescribed by law.

Messrs Kennedy and Collins were appointed tellers.

For the office of President of the Council,

Richards placed in nomination Richard O. Hickman, which nomination was seconded by Collins.

On motion of Kennedy, the Clerk was directed to cast the vote of the Council for Richard O. Hickman for the office of President, which was accordingly done, and on ballot,

Richard O. Hickman, for President of the Council received the vote and was declared duly elected to said office.

For the office of Chief Clerk,

Reuben L. Davis was nominated by Richards. On motion of Kennedy the Clerk was directed to cast the vote of the Council for Chief Clerk, and, on ballot, Reuben L. Davis received the vote and was declared duly elected to said office.

For Enrolling and Engrossing Clerk,

Hartford D. McKnight was nominated by Waters.

On motion of Collins, the Clerk was directed to cast the vote of the Council for said office and on ballot, Hartford D. McKnight received the vote and was declared duly elected to said office.

For Sergeant at Arms,

Haldaday nominated Matthew McGuirk.

On motion of Kennedy the Clerk was directed to cast the vote of the Council, and on ballot Matthew McGuirk received the vote and was declared duly elected.

For Page. George W. Faust was nominated by Kennedy.

On motion of Collins, the Clerk was directed to cast the vote of the Council, and on ballot, George W. Faust received the vote and was declared duly elected.

Council Journal, First Day

For Watchman

Benjamin F. Hooper was nominated by Kennedy.

On motion of Collins the Clerk was directed to cast the vote of the council, and on ballot Benjamin F. Hooper received the vote and was declared duly elected.

For Chaplain,

Richards nominated Rev. Randolph E. Smith, On motion of Kennedy the Clerk was directed to cast the vote of the Council, and on ballot the Rev. Randolph E. Smith received the vote and was declared duly elected.

On motion of Kennedy

The rules of the last previous council were adopted as the temporary rules of this Council.

Kennedy moved that the Chair appoint a Committee of three on Rules, to act also jointly with a similar Committee of the House to prepare joint rules for the government of both houses, which was carried.

The Hon. Cornelius Hedges, a Notary Public being present, and consenting administered the oath prescribed by law to each of the following named Officers of the Council, to-wit:

Reuben L. Davis,	Chief Clerk.
Harford G. Wickham,	Enrolling and Engrossing Clerk.
Matthew C. Quick,	Sergeant at Arms.
George H. Faust,	Page.
Benjamin F. Hooper,	Watchman.
Rev. Randolph E. Smith,	Chaplain.

and said officers assumed their respective Stations.

Kennedy moved that the Chair appoint a Committee of two to proceed to the Hall of the House and inform that body that the Council is now organized and ready for business, and that said Committee shall act with a like Committee of the House to inform the Governor.

which was carried and Messrs Kennedy and Sundry were appointed such Committee.

Council Journal

The Chair appointed Messrs. Waters, Collins and Halliday a Committee on Rules

On motion of Kennedy

The Council adjourned until tomorrow at 10 a.m.

(Attest) R. L. Davis Chief Clerk

Second Day

Council Chamber - Helena, Montana,
January 11th 1887.

Council met at 10 o'clock a.m., pursuant to adjournment.

Mr. President in the Chair.

Roll called - quorum present

Prayer by the Chaplain.

Journal of first day read, corrected and approved.

Messrs. Will. H. Sutherland (from Fergus and Meagher Counties) and Edward Cardwell (of Jefferson County) members elect. of the Council, appeared, presented certificates of election, took the oath prescribed by law, and were admitted to their seats as members of the Council.

On motion, Council took a recess till 11 o'clock a.m.,
11 a.m.

Council resumed,

Mr. President in the Chair.

Roll called. Quorum present.

Mr. Kennedy, from the Special Committee appointed to notify the House that the Council is organized and ready for business, reported that said Committee had performed the duty assigned to them.

On motion of Collins, the Council took a recess until 2 P.M.

2, P.M.

Council resumed

Mr. President in the Chair.

Roll called, Quorum present.

Mr. Committee on Rules reported as follows

Council Journal, Second Day,
 W. President,

Your Committee, to whom was referred the subject of making rules for the guidance of the Fifteenth Legislative Council, have had the same under careful consideration, and beg to recommend the adoption of the annexed Council Rules,

Respectfully Submitted - E. J. Waters, Chairman,

Council Rules

Fifteenth Legislative Assembly, Montana Territory,

No. 1 President, The President shall take the chair at the time to which the Council stands adjourned, and the Council shall then be called to order, roll called, and the names of absentees shall be entered upon the Council's Journal of the Council,

In case that the President is absent, or fails from any cause to take the chair, the Council shall appoint a President pro. tem.

No. 2 Quorum, - Upon the appearance of a quorum, which shall consist of a majority of the whole number of members, and after services by the Chaplain, the Journal of the preceding day shall be read by the Clerk, and any mistakes therein may be corrected by the Council,

No. 3 Order, - The President shall preserve order and decorum, and shall decide questions of order, subject to an appeal to the Council,

No. 4 President shall vote, - The President shall vote on all questions taken by yeas and nays, and in all elections and divisions called for by any member...

No. 5 Members shall remain seated, - When the Council adjourns, the members shall keep their seats until the President announces the adjournment.

Council Journal - Second Day.

Nº 6 Proper Decorum. - Every member, previous to speaking, shall rise from his seat, and respectfully address himself to the President.

Nº 7 Two or more. - When two or more members rise at once, the President shall designate the member who is first to speak; but in all cases, the member who shall first rise and address the chair shall speak first.

Nº 8. Not to speak more than twice. - No member shall speak more than twice on the same subject, without leave of the Council, nor more than once until every member choosing to speak on the question pending, shall have spoken.

Nº 9 Motion to be seconded. - No motion shall be debated, or put, unless the same shall be seconded; It shall be stated by the President, and such motion shall be reduced to writing if the President or any member shall desire it.

Nº 10 Motions in possession of the Council. - After any motion shall be stated by the President, it shall be in possession of the Council, but may be withdrawn with the consent of the council, at any time before amendments shall be entered upon the Journal, whether they are rejected or adopted.

Nº 11 Debate. - When a question is under debate, no motion shall be received, except;
 1st to adjourn; 2nd to lay on the table;
 3rd for the previous question;
 4th to postpone to a day certain;
 5th to commit to a standing Committee;
 6th to commit to a select committee;
 7th to amend; 8th to postpone indefinitely;
 And these several motions shall have precedence in the order in which they stand arranged.

Nº 12 Adjournment. - A motion to adjourn shall always be in order, except when a member is addressing the chair or a vote

Council Journal - Second Day
is being taken; That, and the motion to lay on
the table, shall be received without debate.

N^o. 13. Previous Question, - The previous question shall
be in this form;

"Shall the main question now be put?"

It shall only be admitted when demanded by
a majority of the members present, and its effect
shall be to put an end to all debate; and bring
the Council to a direct vote upon the amend-
ments reported by a committee, if any; then
upon pending amendments, and then upon
the main question.

On a motion for the previous question, and
prior to the vote being taken thereon, one call
of the Council shall be in order; but after
a majority shall have voted in favor of such
motion, no call shall be in order prior to a
decision of the main question.

N^o. 14. Same, - When, on taking the previous ques-
tion, the Council shall decide that
the main question shall not now be put;
the main question shall remain as the question
before the Council, in the same stage of
proceedings as before the previous question
was made.

N^o. 15. Incidental Questions, - All incidental questions
of order, arising after a
motion is made for the previous question, during
the pending of such motion, or after the Council
shall have determined that the main question
shall now be put, shall be decided, whether
on appeal or otherwise, without debate.

N^o. 16. Petitions, - Petitions, Memorials, and other
papers addressed to the Council,
shall be presented by the President, or by a
member in his place.

N^o. 17. Voting, - Every member who shall be pres-
ent before the vote is declared
from the chair, and no other, shall vote for
or against the same, unless the Council shall
... ..

(Continued.)

interested in the question, in which case he shall not vote.

N^o. 18. When the question is being put, — When the President is putting the question, no member shall walk out of, or across the hall; nor when a member is speaking shall any person entertain any private discourse; or pass between him and the Chair,

N^o. 19. Several Points, — If the question in debate contains several points, any member may have the same divided.

N^o. 20. Members called to order, — A member called to order shall immediately sit down, unless he desires to explain, after which he shall take his seat until the point of order be decided by the Chair, which shall be final, unless the member desires to appeal, in which case he shall have the right to arise and ask the Chair to put his motion to the Council, whose duty it shall be to immediately comply; and the question shall be; "Shall the decision of the Chair be sustained?" — in case of a tie vote the Chair is sustained.

N^o. 21. Introduction of Bills, — Every Bill shall be introduced by a motion (for leave, or by an order of the Council, or on a report of a Committee; and one day's notice, at least, shall be given of a motion for leave to bring in a bill, unless two thirds of the members present shall vote in favor of its being brought in without such previous notice.

Every notice for leave to bring in a bill (and every notice to bring in a bill,) shall be in writing or printing, and shall state the subject of the bill.

N^o. 22. Bills Endorsed, — Every bill, before being introduced shall have endorsed thereon the title of the same, and every bill and resolution shall have thereon the name of the member introducing it; and when ordered by a Committee, the name of such Committee shall be endorsed thereon.

Council Journal - Second Day.

N^o. 23. Bills to be read, - all bills, memorials, or joint resolutions shall be read at length, the first time for information; and if opposition be made to it, the question shall be: "Shall this bill be rejected"? If no opposition be made, or if the motion to reject be lost, the bill shall go to its second reading without a question.

N^o. 24. Second Reading, - all bills, memorials, or joint resolutions, on their second reading, shall be read by their title and the question taken upon their commitment, amendment, or engrossment; but no bill shall be read the third time before passing to General Orders, except by order of the Council.

N^o. 25. Third Reading, - all bills, memorials, or joint resolutions, on their third reading, shall be read at length, and no amendments shall be in order, except by unanimous consent of the Council.

N^o. 26. Second and Third Readings, - All bills shall be read three times before their final passage, and may be read twice on the day presentation, unless otherwise ordered, and no bill shall be passed, unless it shall have been read once at length.

N^o. 27. No Amendment, - No motion, or proposition, on a subject different from that under consideration, shall be admitted, under color of amendment. No bill or resolution shall, at any time, be amended by annexing thereto, or incorporating therewith, any other bill or resolution, pending before the Council.

N^o. 28. Committee of the Whole, - In forming a committee of the whole Council, the President shall appoint a Chairman to preside.

N^o. 29. Bills committed to the Committee, shall in the Committee of the Whole thereon, be first read through, unless otherwise ordered, and then read

(Continued).

and debated by Sections, leaving the title to be last considered.

All amendments shall be made in writing, or printing, and reported to the Committee by the Chairman.

No. 30. Questions in Committee of the Whole. — All questions whether in committee or in council, shall be put in the order in which they are moved, except in cases of privileged questions, and in filling blanks, when the largest sum and longest time, shall be first put.

No. 31. Same mode. — A similar mode of proceeding shall be observed with bills which have originated in and passed by the House, as with bills originating in the Council, except, they shall not be printed.

No. 32. Reconsideration. — No motion for reconsideration shall be in order unless on the same day, or the day following that on which the decision proposed to be reconsidered, took place, nor unless one of the majority shall move such reconsideration.

No. 33. Motion to reconsider. — When notice of the intention to move the reconsideration of any bill or joint resolution shall be given by a member, the Clerk of the Council shall retain the said bill or joint resolution until after the time during which the said motion can be made, unless the same can previously be disposed of.

No. 34. Who shall move for a reconsideration. — Any member that votes on that side of a question which prevailed, may be at liberty to move a reconsideration, and a motion for a reconsideration shall be decided by a majority of votes.

No. 35. When lost. — In all cases, when the Council shall be equally divided, the motion shall be lost except in case of appeal.

Council Journal - Second day from the chair.

No 36. Council Rules observed in committee of the whole
 the rules of the Council shall be observed in Committee of the whole Council so far as may be applicable, except that yeas and nays shall not be called, the previous question enforced nor the time of speaking limited.

No 37. Committee Rise. A motion that the Committee rise shall always be in order and shall be decided without debate.

No 38. Standing Committees. Standing Committees consisting of three members each, shall be appointed on the following subjects,

- 1 Ways and Means.
- 2 Judiciary.
- 3 Internal Improvements.
- 4 Public Lands.
- 5 Federal Relations.
- 6 Education and Labor.
- 7 Towns and Counties.
- 8 Military Affairs.
- 9 Incorporations.
- 10 Agriculture and Manufactures.
- 11 Elections.
- 12 Indian Affairs.
- 13 Mines and Minerals.
- 14 Immigration.
- 15 Roads and Highways.
- 16 Engrossment.
- 17 Enrollment.
- 18 Printing.
- 19 Grazing and Stock-growing.

No 39. Engrossment. The Committee on Engrossment shall examine all bills after they are engrossed and report the same to the Council (Correctly Engrossed) before the third reading said Committee may report at any time.

No 40. Enrollment. The Committee on Enrollment shall

(Continued)

joint resolutions which have passed the two Houses and when reported correctly enrolled they shall be presented to the presiding officers of the Council and House for their signatures, and when so signed to go to the Governor for his approval said Committee may report at any time.

No 41 Select Committees. Select Committees, to whom reference shall be made shall, in all cases report a state of facts and their opinion thereon to the Council.

No 42 In all cases where a bill, order, resolution or motion shall be entered on the Journal of the Council the name of the member moving the same shall be entered on the Journal.

No 43 Persons Admitted within the Bar. No person shall be admitted within the bar of the Council, but the Executive, Secretary of the Territory, members of the House, ex members of the Council Territorial Treasurer and Auditor Judges of the Supreme Court, and such other persons as the Council may deem proper to admit.

No 44 Clerk to make a List of all Bills. The President of the Council shall cause the Clerk of the Council to make a list of all bills, resolutions, reports of Committees, and other proceedings of the Council which are committed to a Committee of the Whole Council, and which are not made the order of the day for any particular day, and to number the same, which list shall be called "the general order of the day" and they shall be taken up in the order in which they are numbered, unless otherwise ordered by two-thirds of the Council; and the Clerk shall also keep a book showing the situation and progress of bills.

No 45 President to announce the Order of the Day. On the meeting of the Council after the reading of the Journal of the preceding day and prayer by the Chaplain the order of business for the day shall be as follows.

Council Journal Second Day

- 1 Presentation of Petitions.
- 2 Reports of Standing Committees.
- 3 Reports of Select Committees.
- 4 Notices.
- 5 Introduction of Bills.
- 6 Motions and Resolutions.
- 7 Consideration of Messages from the House.
- 8 Reading of House Bills, Resolutions and Memorials.
- 9 Third Reading of the same.
- 10 Third Reading of Council Bills.
- 11 Consideration of the General Orders.
- 12 Unfinished Business.

No 46 Several Motions. Whenever the report of any Committee of Conference contains several modifications or amendments any member may have the same divided and the question of concurrence taken separately upon each modification or amendment.

No 47 General Orders. When the Council has arrived at the general order of the day, they shall go into Committee of the Whole upon such orders, or particular order designated by a vote of the Council, and no other business shall be in order until the whole are considered, or passed or the Committee rises. And unless a particular ^{will} is ordered up, the Committee of the whole shall consider, act upon, or pass upon the general orders according to the order of their reference.

No 48 President to Leave the Chair. The President may leave the Chair and appoint a member to preside, but not for a longer time than one day, except by leave of the Council.

No 49 Parliamentary Practice. The rules of parliamentary practice embraced in Jeffersons Manual shall govern the Council in all cases where they are applicable and in which they are not inconsistent with the standing rules and orders of the Council and the joint rules and orders of the Council and House.

(Continued)

- No 50 Suspend Alter or Amend. No. rules of the Council shall be suspended, altered or amended without the concurrence of two thirds of the members present.
- No 51 Time of Meeting. The hour of the daily meeting of the Council shall be 10 o'clock in the morning, until the Council directs otherwise.
- No 52 Yeas and Nays. The yeas and nays shall not be ordered unless demanded by two members, except on the final passage of bills, joint resolutions, and resolutions making appropriations of money in which case the yeas and nays shall be had without demand.
- No 53 Printed. All Council bills of a general nature shall after their second reading be printed without special order from the Council.
- No 54 Memorials to Congress. All orders, joint resolutions and memorials to Congress, after they shall have passed both Houses, shall be carefully enrolled, signed by the Speaker of the House and President of the Council and forthwith transmitted by the Chief Clerk of the respective House, in which they originated to the President of the Senate, the Speaker of the House of Representatives in Congress, and also to our Delegate in Congress.
- No 55 When a Committee shall mention a bill in its report the number and title of such bill shall be given.
- No 56 Executive Business. All executive business shall be transacted with closed doors unless otherwise ordered by the Council.
- No 57 The objections of the Governor to all Council bills vetoed by him, shall be at once extended in full upon the journal of the Council and the bill together with the message shall go upon the General Order file unless otherwise ordered by the Council.

Council Journal Second Day.
On motion of Cardwell, the Report
was adopted.

Messrs Henry W. Blake
and C. M. Hoffman a Committee
of the House appeared at the bar of
the Council, and reported as follows:-
Mr. President,

We have been appointed
a committee on behalf of the House
to inform your Honorable body, that
the House has organized by the
election of the following officers to wit:
Speaker Francis A. Armstrong
Chief Clerk David M. Mark
Enrolling and Engrossing Clerk Harry Rodgers
Sergeant at Arms Samuel Alexander
Watchman Benjamin D. Stone
Messenger Arthur J. Pettit
Chaplain R. F. Beasley
and that the House is ready
to proceed with the business of
the session.

Messrs Thos. C. Marshall H. M. Page
and J. R. Toole, appeared and announced
that they had been appointed a
Committee of the House to act jointly
with a Committee of the Council and
to inform the Governor that the
Council and House are organized and
ready for business, and the special
committees of the Council appointed
for that purpose were requested to perform
that duty.

Collins moved that a
committee of three (3) on mileage be
appointed. Carried. Messrs Collins
Batchelder and Thompson were
appointed such Committee.

On motion of Richards
the Council took a recess till three
(3) P. M.

Council resumed. Roll called
Quorum present.

Waters offered the

(Continued.)

Following Resolution:- Resolved, That a vote of thanks be extended to Hon. J. H. McLeary, Judge of the Supreme Court, for his attendance and service in appearing in this body; and that the Clerk be instructed to forward him a copy of this Resolution, which was adopted by a unanimous vote.

On motion of Water, Council adjourned until to morrow at 10 A. M.

Attest

Ruben L. Davis
Chief Clerk

Council Journal Third Day.
 Council Chamber
 Helena Montana
 January 12th 1887

Council met at 10 o'clock A.M.
 pursuant to adjournment.

Mr. President in the Chair.
 Roll called. Quorum present.

Journal of Second day read.
 On motion of Kennedy, reading of
 that part of the Report of the Committee
 on Rules, containing Rules of the
 Council, was dispensed with.

Journal of second day approved.
 Leave being granted, the following
 Report was received.

Mr. President,

Your joint committee
 appointed to notify the Governor that
 the 15th Legislative Assembly was duly
 organized, and ready to receive any
 communication which he might desire
 to make, would respectfully report that
 we have performed that duty.

Wm. Kennedy

Wm. B. Hendley } Committee from the Council

Thos. C. Marshall

J. R. Poole

J. M. Page

} Committee from the House

On motion of Rickards report
 accepted and committee discharged.

The President announced the
 following Standing Committees of the
 Council.

Way and Means

Indee.

Collins

Waters

Judiciary

Collins

Holliday

Rickards.

(Continued)

Internal Improvements

Water
Thompson
Batchelder

Federal Relations

Handley
Holliday
Cardwell

Education and Labor

Rickards
Jennedy
Sutherland

Towns and Counties

Cardwell
Holliday
Thompson

Public Lands

Batchelder
Sutherland
Holliday

Incorporations

Rickards
Jennedy
Collins

Agriculture and
Manufactures

Cardwell
Holliday
Batchelder

Elections

Water
Rickards
Collins

Indian Affairs

Thompson
Batchelder
Sutherland

Miners and Minerals

Parker
Rickards
Handley

Immigration

Thompson
Sutherland
Parker

Council Journal Third Day
Roads and Highways

Holliday
Thompson
Hendley

Military

Jennedy
Waters
Thompson

Engrossment

Holliday
Parker
Hendley

Enrollment

Jennedy
Waters
Collins

Printing

Sutherland
Jennedy
Parker

Grazing and
Stock Growing

Hendley
Thompson
Batchelder

Jennedy gave notice of introduction
of Bill "Entitled
An Act amending section 529
of the Fifth Division of the Revised
Statutes of Montana"
On motion of Jennedy,
the report of the committee on Rules
was referred to the committee on
printing

On motion, Council took
recess until 11 o'clock A.M.

Council resumed at 11
A.M. Mr. President in the chair.
Roll called. Quorum present.
The following message
was received from the Governor.

(Continued)

EXECUTIVE DEPARTMENT, TERRITORY OF MONTANA.

HELENA, Jan. 10, 1886.

Gentlemen of the Council and House of Representatives:

After an interval of two years of steady and general growth and prosperity in our territory, you have assembled as legislators, charged with the difficult and responsible duty of enacting such legislation within the range of your restrictive powers as shall best promote the interest of all of the people of Montana.

The provisions of the restrictive act, entitled "An act to prohibit the passing of local and special laws in the territories of the United States to limit territorial indebtedness," approved July 30, 1886, are so sweeping as to confine your legislative powers almost exclusively to the passage of general laws. This imposes on you the difficult duty, which should not be delayed, of enacting such general laws as will meet recognized special needs in various localities.

FINANCIAL AND GENERAL PROSPERITY.

Development has served to continually increase confidence in the value and permanence of our gold, silver and copper mines, so that capital is being year after year more confidently invested in such properties and the appliances for the treatment of ores. Large deposits of coal have materially added to the mineral resources of the territory; our stock interests have largely increased in importance; the value of our agricultural industries have been greatly enhanced; our population has grown rapidly, until it is now estimated at over 150,000, while our assessed valuation is reported at \$55,076,871.53. Add to this the value of our mines, which are not assessed, and the amount will reach \$100,000,000.00.

CONDITION OF THE TREASURY.

The following condition of the treasury is shown by the tables of the auditor for the two years ending December 31, 1886:

Total receipts for the two years, ending Dec. 31, 1886	\$334,132.61
Balance in the treasury January 1, 1885	5,237.59

Total	\$339,370.20
Disbursements for the two years, ending Dec. 31, 1886	\$282,101.02
Balance in the treasury Jan. 1, 1887	57,269.18

The receipts into the treasury were from the following sources, to wit:

From license and property tax	\$328,839.97
From insurance fees	2,800.00
From fees for recording marks and brands	2,068.00
From fees for notaries commissions, etc.	874.64

Total receipts .. \$334,132.61

The disbursements were as follows, to wit:

For criminal expenses	\$121,061.19
For insane expenses	88,741.90
For bounty paid for killing animals	25,439.00
For salaries and other expenses	46,858.93

Total disbursements	\$282,101.02
Warrants outstanding amount to	2,037.00

There is no bonded indebtedness.

THE JUDICIARY.

The creation, by act of congress of a fourth judicial district, and the appointment of a fourth justice, with the provision that the judge presiding at the trial of a case in the district court shall not sit upon the bench in the appellate court during the hearing of such case upon appeal, have added greatly to the efficiency of our judiciary and given greater confidence in, and respect for, the judgments of the supreme court. It is a good and safe rule generally to avoid radical changes of law. It is important for the people to become familiar with the laws, and to have them judicially determined in our courts. Better results are obtained where there is greater familiarity with the laws, than where they are undergoing rapid and extreme changes to reach some ideal perfection. Therefore, the best suggestion I can make is, to change the laws as little as possible—to remedy some defects in the present laws. The courts and attorneys discover these defects in attempting to apply the laws in practice, and to adjust them to conflicting individual interests.

2 SCHOOLS.

Material prosperity, good order, respect for and obedience to law; public and private morality, and general progress, are all promoted by general intelligence. The people of Montana, with a steadfast zeal that cannot be too highly commended, have fostered and sustained a system of public schools with the most satisfactory results. None of the territories, and few of the states can show a better system sustained by self-imposed taxation. The general government that assumes the chief responsibility of preparing our people to exercise the functions of a sovereign state, and has even gone so far as to prescribe what shall be taught in our schools, has never yet given a dollar in any shape or form to aid in their education. The promised endowment from the school lands is reserved for a future generation that will certainly be better able to provide for itself than the present one. It would be proper to ask, and no more than right for the general government to grant a half million dollars as an advance upon our school lands, the interest upon which could be used at once, when the people are poor and most need it. When, as a state, we come into possession and control of our school lands, this advance from the government would be repaid from the first sale. The report of our superintendent of public instruction and other recommendations from those practically engaged in the business of giving instructions, will deserve your attention in making amendments to our school laws. It would seem to me wise to provide in some way for the introduction of training in manual labor into our public schools. It would be a proper recognition of the dignity of labor while giving the rudiments of an intellectual education; and without interfering with that, give to all some practical instruction in the most useful arts and trades; so that when our children left the

school house, they would be better equipped for the responsibilities of actual life. It might be well to consider whether the territory could afford a normal school, for the better training of the teachers in the public schools.

RAILROADS.

We are in the midst of an era of railroad building in our territory such as we have not hitherto known. The promise is, that at a very early day all of our principal towns, mining agricultural and stock growing districts will be connected and brought into intimate relationship with each other, as well as with the centers of population both east and west, by the various railroads now operating and those in course of construction and in immediate contemplation. There are 1070 miles of completed road, and over 1000 miles being constructed within our borders. We should extend a hearty welcome to all such enterprises. The territory is vastly benefited by every one of them. They should be encouraged and their interests protected. We should not, however, lose sight of the fact that railroads are owned and conducted by corporations, and corporations are not always managed in the interest of the people. The authority of legislatures to place certain limitations upon corporations in the conduct of their affairs is no longer an open question. No serious conflict between these corporations and the people has yet arisen in Montana, nor is there any reason to anticipate such a conflict at the present time. In truth, the interests of the people and corporations ought to be and, if right fully understood, are identical and no conflict should arise between them. But it is our duty in advance to make such laws as will protect the people in case such exigency shall arise. It can readily be seen how the exigency may arise. Partiality for a particular town, or district, or industry, or mine, may cripple, or possibly ruin other towns, districts, industries, or mines. This might be easily accomplished by discrimination in rates of transportation. The best interests of our territory requires that all should be treated alike and discrimination prevented. Legislation to this end is a demand which should have for its fulfillment the very highest consideration at the hands of our law-makers. All classes of industry are equally interested in this subject. Whatever laws may be enacted in reference to transportation companies should be framed with a view of not injuring any interest, but should be based upon the principle of exact justice to all the varied and complex interest affected thereby. With the ample experience of older communities you should be able to avoid the mistakes by which measures intended to prevent have created opportunities for oppression, and in many instances given rise to evils far surpassing those they were intended to correct. The laws should be so framed that while they do not invade any of the rights of the corporations, they shall at the same time amply protect the people and our manifold industries against the abuse by corporations of the great powers wielded by them.

3 REGISTRATION LAWS.

The enactment of a registry law is fast becoming a necessity in order to secure elections that shall fairly and honestly represent the choice of a majority of those legally entitled to vote. The ballot box is universally esteemed as one of the chief safeguards of our liberties, and any measure calculated to protect it from the evil designs of corrupt men, should enlist the support of all patriotic citizens.

THE MILITIA.

The last legislative assembly very wisely passed an act providing for the organization of the militia of the territory. There can be no doubt that organized companies of militia at the various centres of population in the territory would have a wholesome and most beneficial effect. They are conservators of the peace, and their services may be required at any time for the enforcement of the law and the protection of life and property. While there now exists no good reason to apprehend any disturbance within our territory, it is the part of prudence to be prepared to meet and cope with them should they arise. Desiring therefore, to see the act referred to carried into full force and effect, I have sought to procure suitable arms with which to equip companies organized under the law, the territory having no arms except a lot of muzzle-loading muskets, which, by changes made in the manual of arms since the adoption of breech-loading guns, have become wholly useless even for the purpose of drill. I made application to the ordnance department of the United States for the issue to the territory of suitable arms for the use of the national guards. The chief of ordnance consented to honor a requisition from me for a thousand stands of arms, the requisition to be accompanied by a suitable bond for the surrender of the arms at any time they may be required by the secretary of War. I made a requisition and sent a good and sufficient bond in the amount required; but upon the reference of the bond by the chief of ordnance to the judge advocate of the army, he decided that it could not be accepted unless it was duly authorized by an act of the legislative assembly of this territory. There is no legislation now on our statute books which would authorize the execution of a bond for this purpose. I respectfully recommend the passage of a law of this character, to the end that we may procure suitable arms for the equipment of such companies of the National Guards of Montana as desire to organize.

TIMBER LANDS.

You should, in my opinion, memorialize congress at an early day for the passage of a law providing for the sale of the timber lands of the United States in this territory, or the passage of a law providing for the payment of a stumpage tax for the cutting of timber upon the unsurveyed lands within the territory.

The present law of the United States in reference to the timber within the territory was undoubtedly intended to permit the people of the territory to cut and use all the timber necessary to the settlement and development of the country, until such time as it became possible to procure titles to the timbered lands by surveys and further enactments. Otherwise it should have been entitled "An act to prevent the mining and settlement of Montana and other mineral territories." The power given to the secretary of the interior to regulate and control the cutting, was clearly intended to prevent waste and exportation of the timber, but not to interfere with the intent and object of the law "to allow timber to be cut for mining and other domestic purposes," which covers all known uses. Yet the provisions of the enactment, confining the cutting to mineral land, are such, that the rulings and regulations of the secretary, in attempting to carry out the law, have endangered the greatest and most important interest of the territory—our mining interests, by confining such cutting to lands that are only, or chiefly valuable, for the minerals they contain. I know the secretary has the interests of the territory at heart and would not, if he knew it, jeopardize them. Want of knowledge of our peculiar situation, of our absolute dependence upon the timber, of the fact that nine-tenths of the timber is on the rugged mountains at the head of the streams, and on mineral lands in the broad sense and in the meaning of the act, together with the misrepresentation of want of knowledge of some of the commissioner's agents, sent here to report the facts and situation, are the principal causes of our trouble and danger.

No people living have a larger interest in preserving the timber growing on the public domain in the territory than the people you represent; and I am satisfied they would heartily endorse and help carry out any legislation, either by you or the general government, looking to and providing for the preservation of the timber against wilful and unnecessary waste, fire or exportation from the territory.

Council Journal Third Day.

CARE OF THE INSANE.

Your attention is directed to the inadequate and expensive method of caring for the indigent insane, which has obtained in this territory for several years past. The indigent insane of the territory have been and are yet cared for by Doctors Mitchell and Mussigbrod under contract made with them, under the provisions of section 722 of the Revised Statutes. Their care and management of these unfortunates have thus far, been satisfactory in every respect; but in my opinion, it is high time that steps were taken to provide some more permanent asylum for their detention and treatment. Should the gentlemen who now have the contract see fit to terminate it, or not renew it at its expiration. It would, for

a time at least, seriously embarrass the executive of the territory to find suitable quarters for these patients. I think a start, at least, should be made by the present legislature looking toward the establishment of a permanent asylum at some suitable point in the territory. I would recommend that you provide for the appointment of commissioners authorized to select and purchase a suitable site for such an institution, and provide for the erection of at least, temporary buildings for this purpose. I am of the opinion that an asylum constructed upon the cottage plan would answer every purpose. Cottages sufficient to accommodate all of the patients, at present a charge upon the territory, could be constructed for comparatively a small sum; and should the number of patients increase with the increase of our population, as will doubtless be the case, additional cottages can be erected without any considerable outlay. I earnestly entreat your careful consideration of this question.

TAXATION.

In the matter of taxation the people are always keenly sensitive to any inequalities. There should be some rule applicable to the whole territory, whether property is to be rated at its full cash value, or at some point below, as two-thirds. In the same classes of property, such as stock, there is a considerable difference of valuation in adjacent counties, which offers the temptation to drive cattle for a time, into the county where the rate of valuation is the lowest. In the matter of taxation of mortgaged property the law as it now stands is much too loose and indefinite, and results in many cases in double taxation. The borrower paying tax both on the property and the mortgage, the lender simply increasing the interest to cover the tax on the mortgage.

REVISION OF CERTAIN LAWS.

It is represented to me by those who have better means of knowing than I have, that our probate laws are seriously defective in several respects. That our road laws need repairing as much as our roads; that the sheriffs' fee bill for support of prisoners is not what it was supposed to be, the latest amendment being engrafted upon a repealed statute. That the law of succession needs very careful consideration, as its provisions are conflicting. And doubt is expressed as to whether the dower law of 1876 is yet in force, or whether it was repealed by the revised statutes of 1879. It is the dictate alike of justice and humanity that a wife shall have in the property of her husband a certain well defined interest; an interest of which she cannot be deprived by the will of her husband. Your attention is called to the fact that by our statute the age at which a girl may consent to her own ruin is fixed at the age of ten years. In my opinion the age of consent should be fixed at not less than fourteen years. Complaint is made from several counties that the law substituting a salary limitation, instead of payment by fees direct to county officials, is working to the disadvantage of several counties, and efforts will be made to repeal the entire law. The present law was passed to remove the temptation from county officials of charging illegal fees or of making business for the sake of fees, and of neglecting necessary public business for which no fees were provided. If there has been a falling off of some kinds of public business, the public is probably the gainer by reason of it. If my information is correct, both the fees and salaries are, in many cases, too high.

MEMORIALS.

If you can do anything by way of memorial to enlightened congress as to the ability of the people of Montana to assume the burdens of state government, and their entire willingness to relieve the general government of any special expense or legislative care on our account, it is worth the effort. Another subject for memorial is the urgent need of a general survey of the public domain in advance of settlement; so that railroad and school lands may be known before the settler drives his stakes or makes his improvement.

And in any contemplated change of the land laws it would be well to represent the general desire and interest of our people that the desert land act should be retained, under which a large amount of waste and worthless land has been reclaimed, and much is capable of reclamation. Unless the general government will thus encourage the construction of irrigating ditches, or of sinking artesian wells, it would be only following the precedent in the case of swamp lands, to give them—the desert lands—to the territories and states in which they lie. The irrigation of desert lands is as costly and beneficial as draining swamps.

As you are familiar with the laws, are direct from, and of the people, and know their wants and needs, I have no doubt that you will legislate in the interest of the people; to that end you will have my hearty co-operation.

S. T. HAUSER.

(Continued)

On motion of Parker the Governor's Message was referred to the Committee on Printing.

On motion of Kennedy, the list of Committees and list of names of Standing Committees were referred to the Committee on Printing, with instructions to confer with the Territorial Secretary in regard to printing thereof.

Mundley moved that the Governor's Message be made the Special Order for to morrow at 10.15 A.M. Carried.

On motion of Mundley the Council adjourned until to-morrow at 10 o'clock A.M.
 "Ruben L. Davis, Chief Clerk"

Council Journal Fourth Day.

Council Chamber

Helena Montana
January 13th 1887

Council met at 10 o'clock A.M.
pursuant to adjournment.

Mr. President in the Chair

Roll called. Quorum present.

Prayer by the Chaplain.

Journal of third day (except the Governor's Message, the reading of which was, on motion, dispensed with,) read and approved.

The hour having arrived for which the Governor's Message was made the special order, the same was taken up, read by paragraphs, and on motions referred to Committees as follows:—

Section 1.—To Committee on Federal Relations

2.—" " " Ways and Means.

3.—" " " Judiciary

4.—" " " Education

and Labor.

5.—To Committee on Incorporations.

6.—" " " Elections

7.—" " " Military Affairs

8.—" " " Public School.

9.—" " " Internal Improvement

10.—" " " Ways and Means.

11.—" " " Judiciary

12.—" " " Federal Relations

The following report was received
Hon. President:—

Your Select Committee appointed to ascertain the number of miles necessarily traveled by the members of the 15th Legislative Council in reaching the Capitol and returning to their homes, beg to report, that we have ascertained from the several members the required information as follows:—

(Continued)

E. L. Batchelder	400 miles
E. Gardner	150 "
T. B. Collins	300 "
P. O. Hickman	426 "
J. L. Holliday	250 "
W. B. Hurdley	2 "
Wm. Kennedy	250 "
J. E. Hardie	204 "
J. E. Richards	212 "
W. B. Tupper	160 "
J. J. Thompson	870 "
H. C. Waters	480 "

Respectfully Submitted

T. B. Collins

E. L. Batchelder

J. J. Thompson

Committee

The following Bill was introduced,

By Kennedy: "Bill for an Act amending Section 529 of the Fifth Division of the Revised Statutes"

Which Bill was read the first and second times and referred to the Committee on Printing.

The following communication was received.

House of Representatives
15th Session.
Montana Legislature

Helena, Mont.
January 13th 1887

Mr. President,

I am directed by the House to inform your Honorable body,

That-

The House adopted the joint rules for the government of the two Houses, as reported by the joint

Council Journal Fourth Day
committee. Respectfully
David Marks
Chief Clerk.

The following report was received.
Mr. President.
We your committee on
Joint Rules beg leave to report
that we have had the same
under consideration, and would
recommend the adoption of the
approved Joint Rules of the
Council and House of the
fourteenth session of the Montana
Legislature, for the Fifteenth Session,
with the following amendments,
and as amended, ~~recommend~~
their adoption. E. L. Waters
Chairman.

Joint Rules
of the
Council and House, Adopted at the
Fifteenth Session
of the
Montana Legislature.

I
The chamber of the Council
and hall of the House of Representa-
tives shall be open from 8 o'clock
(A.M. until 11 o'clock P.M. of each
day during the session, unless by
resolution of the Council, its chamber,
or by resolution of the House, its hall
shall be closed.

II
The presiding officer of each
house, and subject to his directions,

Continued

the Sergeant-at-Arms of each house shall have general supervision and control of the rooms in which such house meets, and shall see that the doorkeeper and watchman of each house shall be responsible for all property left therein by the government and the members respectively.

III

The doorkeeper at all times when the rooms of the house or either of them are open, shall be at their posts, and will admit no person upon the floor of their house not privileged thereto, except that during any recess a member may invite any person to the floor.

IV

No money from the Territorial Treasury shall be expended; nor shall any indebtedness or liability of the Territory be incurred by either house, except upon a concurrent or joint resolution of both houses.

V

The title to every bill shall briefly state its general object, and every bill shall be numbered by the clerk and the title thereof, and the name of the member introducing the same shall be endorsed thereon.

VI

Neither house during the session shall adjourn more than one day, at any time, nor to any other place than that in which such house shall be regularly sitting, without the consent of the other.

Council Journal Fourth Day

VII.

Messages shall be transmitted between the two houses by the chief clerk or sergeant-at-arms, or by such other officer of each house as the senior of propriety may dictate, which messages shall keep each house informed with promptness of all notices given and bills introduced, and of the general condition and state of the business of the other.

VIII.

Upon the presentation of an enrolled bill by the enrolling committee of either house to the presiding officer for his signature thereto, he shall rise in his place and give notice that he is about to sign the same, giving the title thereof; whereupon, if any member shall signify his desire so to do, he shall be permitted to examine the same, but no objections to the presiding officer signing the same shall be of any avail if the same conform to the engrossed bill as it passed both houses.

IX

The enrolling and engrossing clerks of the two houses, under the direction of the presiding officer of each house, respectively, when not engaged in enrolling or engrossing bills shall assist the several select or standing committees;

(Continued)

X.

The journal of each house shall give the title and number of each bill, joint resolution or memorial; but the second and all subsequent references shall be complete when referred to by its number.

XI.

In every case of disagreement between the two houses, if either house requests a conference and appoints a committee for that purpose, the other house shall appoint a committee to confer therewith upon the subject of their disagreement. They shall meet at a convenient time, to be agreed upon by their chairman, and, having conferred freely, each shall report to their respective house the result of their conference.

XII.

When a message shall be sent from either house to the other, it shall be announced at the door of the house to which it is sent by the doorkeeper thereof, and shall be respectfully communicated to the chair by the person by whom it is sent.

XIII.

When a bill shall have passed both houses, it shall be duly enrolled by the Enrolling Clerk of the house in which it originated, and the fact of its origin shall be certified by the endorsement of the Clerk thereof.

Council Journal Fourth Day

XIV.

Each enrolled bill shall be signed first by the Speaker of the House of Representatives, and then by the President of the Council in the presence of their respective houses while in session.

XV.

After the bill shall have thus been signed in each house, it shall be presented by the committee on enrollment of the house in which it originated to the Governor for his approval, and the committee shall forthwith report the day and hour of presentation, which shall be entered upon the journal of such house.

XVI.

All memorials to Congress, or to any officer or other authority of the government, after they shall have passed both houses, shall be carefully enrolled, signed by the Speaker of the House of Representatives and the President of the Council, and shall be transmitted by the chief clerk of the house in which they originated to the President of the Senate, the Speaker of the House of Representatives, or to this authority memorialized, and a copy to our delegate in Congress.

XVII.

When any bill, joint resolution or memorial which shall have passed in one house is rejected in the other, notice of said rejection shall be given to the house which has passed the same.

(Continued)

XVIII

When a bill resolution or memorial which shall have passed one house is rejected in the other, it shall not again be introduced during the session without five days notice, and leave of two thirds of the members voting thereon.

XX

Each house shall transmit to the other, with any bill resolution or memorial all papers upon which the same shall be founded.

XX

When each house shall have adhered to their disagreement, a bill or resolution is lost.

XXI

When any bill or memorial or resolution is ordered to be printed, a sufficient number of copies shall be printed for the use of both houses, and the quota for each house delivered to its Sergeant-at-Arms.

XXII

It shall be the duties of the Chief Clerk of the House of Representatives and of the Council, when any document is ordered to be printed in their respective houses forthwith to communicate such order to the other house.

XXIII

Whenever a joint resolution or memorial shall have passed both houses of the Legislative Assembly, an enrolled copy thereof, duly signed by the Speaker of the House of Representatives and the President of the Council,

Council Journal Fourth Day
 shall be filed in the office of the
 Secretary of the Territory by the
 chief clerk of the house in which
 the same originated.

On motion of Collins the
 report was adopted. Sutherland offered
 the following Resolution.

Resolved; That the
 privilege of the floor of the Council
 be granted to one representative of
 each newspaper making application
 therefor, also to agents and members
 of Press Associations. Also to
 W. M. Cairns manager of the
 Rocky Mountain Telegraph Company
 and Mr. Day manager of the Western Union Telegraph Company.
 Adopted.

Collins offered the
 following Resolution.

Resolved; That upon
 the request of any member of the
 Council the President may
 extend the courtesies of the floor
 for that day, to any sojourning
 constituent.

Adopted.
 Collins introduced C. J. R
 No. 1 "Relating to the pay of additional
 clerks"

Read first and second times.
 On motion of Collins, the rules
 were suspended.

The resolution was
 considered Engrossed, read the third time
 and passed by the following vote.

Ayes	Watwelder	Collins	Cardwell
	Holladay	Hendley	Kennedy
	Panda	Rickards	Sutherland
	Thompson	Waters	and
	Mr. President		

(Continued)

Yves

None

On motion of Humbley
the Council adjourned until
tomorrow at 10 o'clock A. M.
Reuben L. Davis
Chief Clerk

Council Journal Fifth Day

Council Chamber

Helena M.T.

January 14th 1887

Council met at 10 A.M.
pursuant to adjournment.

Mr. President in the Chair
Roll called.

Quorum present
Prayer by the Chaplain.
Minutes of fourth day read and
approved.

Notices of introduction of Bills
were given as follows.

By Richards "A Bill repealing an
Act entitled "An Act
to provide for licensing commercial
travelers" Approved July 22nd 1879"

By Waters: "A Bill entitled "An
Act to repeal Section
3 of an Act entitled "An
Act to provide for licensing commercial
travelers" Approved July 22 1879"

By Sutherland "A Bill for an Act
relating to forestry,
tree planting and culture.

By Kennedy "A Bill for an Act
to amend the Probate
practice Act Section 55

Chapter 3 Second Division of the
Revised Statutes of Montana.

On motion of Kennedy The
Report of the Committee on Joint
Rules was referred to the Committee
on printing.

On motion of Richards,
Council took a recess until 11
O'clock A.M.

(Continued)

11 A.M.

Council resumed.

Mr. President in the chair

Roll called - Quorum present.

The following communication was received.

House of Representatives
15th Session

Montana Legislature

Helena MT,

January 14th 1887

Mr. President,

I am directed by the House to inform your Honorable Body That

C. J. R. No. 1 under suspension of the rules has passed the House, and the same is herewith transmitted.

Respectfully

David Marks

Chief Clerk.

On motion of Kennedy C. J. R. No. 1 was referred to the Committee on Enrollment.

The following Report was received.

Mr. President,

Your Committee on Military Affairs beg leave to report that it has considered that part of the Governor's Message relating to the militia and approves the recommendations therein made, and that the Committee will in due time report a bill embracing the suggestions of the Governor.

Kennedy
Chairman.

Council Journal Fifth Day

On motion of Collins,

Council
took a recess until 2 P. M.
2 P. M.

Council resumed.

Mr. President in the
Chair.

Roll called. Quorum present.
The following Reports were received.
Mr. President

Your Committee
on Internal Improvements, beg
leave to report that it has
considered that part of the
Governor's Message relating to
Internal Improvements and
approves the recommendations
therein made, and that the
Committee will in due time
report a bill embracing the
suggestions of the Governor.

Waters

Chairman

Mr. President.

Your Committee
on Enrolment would respectfully
report C. J. R. No 1 providing
for extra clerks as correctly enrolled.
Remedy

Chairman

The following communication
was received and referred to the
Committee on mileage.

Territory of Montana

Secretary's Office

January 14. 1887

Hon. A. C. Wickman

President of Council

Sir,

I have the honor to enclose

(Continued)

a copy of letter from the Hon.
First Comptroller of the Treasury
Dept. Washington

In accordance with
it I would request that the
Committee in making out the
mileage report, will conform to the
enclosed instructions.

Most Respectfully
Wm B. Webb

Secretary of Montana.

Treasury Department
First Comptroller's Office
Washington D.C.

November 17, 1886

Hon. Wm B. Webb
Territorial Secretary
Helena Montana

Sir,

Hereafter, in making
up your accounts for payment of
mileage, you will please give not
only the distance traveled, but also
the name of the starting point
and the routes traveled over. If,
for any reason the "usually
traveled route" is not taken, an
explanation will be necessary.

Respectfully
Wm J. Durham

First Comptroller

By J. R. Garrison
Deputy First Comptroller

On motion of Waters, Rickards
was granted leave of absence
until Monday next. Mr. President
announced that he was about to
sign "C. J. R. No. 1. An objection being made

Council Journal Fifth Day

On motion of Hendley,
Council took a recess of 15 minutes

Council resumed.

Mr. President in the Chair

Roll called Quorum present.

On motion of Waters,
Council adjourned until to-
morrow at 10 o'clock A.M.

Ruben L Davis

Chief Clerk

Council Journal Fifth Day

Council Chamber

Helena Montana
January 15th 1887

Council met at 10 a.m.
pursuant to adjournment.
Mr. President in the Chair
Roll called. Quorum present.
Prayer by the Chaplain.
Journal of fifth day read and
approved.

The following
communication was received

House of Representatives
Helena MT, January 14th 1887

Mr. President, I am directed to
inform your Honorable body -
That, -

Notices of the introduction of bills
have been given as follows:

By Blake -

"A bill for an act concerning
the rights of married women"

(Also, "A bill for an act to
authorize the Governor to execute
a bond for arms for the militia."

(Also, "A bill for an act concerning the
crime of rape."

(Also, "House Joint Memorial
concerning the timber lands of the
United States within the Territory
of Montana,"

(Also, "House Joint Memorial
concerning the act of Congress
entitled 'An act to prohibit the
passage of local or special laws in
the Territories of the United States,'

Council Journal Sixth Day
to limit Territorial indebtedness
and for other purposes"
Approved July 30th 1886

By Alderson, "A bill for the repeal
of Sections 198, 199, 200, 201, and 202
Chapter XIII "Title Miscellaneous
Offenses" "Revised Statutes of Montana."

By Taylor, "A bill to amend Section
10 of an act entitled an act for the
better protection of live stock interest
of the Territory approved March 12th
1885"

By Seoby "A Joint Memorial to
the President of the United States
concerning the Fort Buford
Military Reservation."

By Smith, "A bill to amend Chapter
41 Fifth Division General Laws"

By Page, "A bill for an act to
establish a Territorial hospital for
the insane"

By Harison, "A bill regarding
amendments to the Lun Law."

Bills were introduced as follows:

By Blake, "H. B. No. 1" "A bill for
an act concerning the crime of rape.
Also "H. B. No. 2" "A bill for an act
to authorize the Governor to

(Continued)

execute bonds for arms for the militia."

Respectfully
David Marks
Chief Clerk.

The following Reports were received;
Mr. President:

Your Committee on Enrollment would report that the Enrolled C. J. R. No. 1 providing for the employment of additional clerks was presented to the Governor for his approval Friday January 14th 1887 at 3.15 P.M.

Kennedy Chairman

Mr. President:

Your Committee on Public Lands respectfully states that the portion of the Governor's Message referred to it has been duly considered and that the recommendations therein are most heartily endorsed.

Your Committee will at an early date in the session introduce a Memorial to Congress, covering the suggestions of his Excellency.

C. L. Batchelder
Chairman.

Bills were introduced as follows:-

By Waters: "C. B. No. 2" A bill for an act to repeal Section 3 of an act entitled "An act to provide for licensing Commercial Travelers" Approved July 22^d 1879"

By Kennedy C. B. No. 3 "A bill for an act amending the Probate Practice Act Section 55 Chapter III Second Division Revised Statute of Montana.

Council Journal Fifth Day

C. B. No. 2 was read the first and second times, and the rules being suspended, was referred to the Committee on Ways and Means.

C. B. No. 3 was read first and second times, the rules were suspended, and the bill was referred to the Committee on Judiciary.

Leave being granted, Notices of the introduction of Petition, Joint Resolution and bill were given as follows;

By Hummel, "A Petition and Joint Resolution for the relief of George Pashaw, J. H. McFarland, and John O'Hill."

By Kennedy "A bill requiring the publication of certain matters, including the proceedings of the Boards of County Commissioners."

On motion of Collins, the Council took a recess until 11 A. M.

11 A. M.

Council resumed.

Mr. President in the Chair.
Roll called. Quorum present.

The following communication was received.

Territory of Montana
Executive Department

Helena January 15th 1881

To the Council

Gentlemen, I have the honor to inform you that I have this day approved Council Joint Resolution

(Continued)

No. 1 "Relating to the employment of additional clerks."

Very Respectfully
S. J. Hauser

Governor.

The following Report was received.

Mr. President,

Your Select Committee appointed to ascertain the number of miles necessarily traveled by the members of the Fifteenth Legislative Council, in reaching the Capitol and returning to their homes, beg leave to submit the following amended report, that we find the distances traveled to be as follows:

Batchelder George L.

Starting Point: Moose Prairie

Route traveled: Private conveyance to Bannack; Coach to Dillon, thence to Helena by R. R.

400 miles

Cardwell Edward

Starting Point Mouth of Boulder

Route traveled: Private conveyance to Boulder, Coach to Jefferson; thence to Helena by R. R.

150 miles

Collins Timothy E.

Starting Point: Fort Benton

Route traveled: Carriage and Coach to Helena

300 miles

Hickman Richard O.

Starting Point Virginia City

Route traveled Carriage and Coach to Dillon,

thence to Helena by R. R.

nearest route via Whitehall and Boulder, impracticable

424 miles

Council Journal Fifth Day.

Holliday Samuel L.

Starting Point Livingston

Route traveled Carriage

and R.R. to Helena.

250 miles

Hundley Wm B.

Starting Point Helena.

No mileage claimed

Kennedy Will

Starting Point Missoula

Route traveled Carriage

and R.R. to Helena.

254 miles

Pardee James A.

Starting Point Philipsburg

Route traveled Carriage

and Coach to Drummond

thence to Helena by R.R.

206 miles

Rickards John E.

Starting Point Butte

Route traveled Carriage

and R.R. to Helena

214 miles

Sherwin Will H.

Starting Point 2 miles

West of White Sulphur

Spring. Carriage to White Sulphur Springs

Coach to Townsend

Route traveled, thence

to Helena by R.R.

156 miles

Thompson James J.

Starting Point 82 miles

South of Rosebud

Route traveled Carriage

to Rosebud, thence

to Helena by R.R.

872 miles

Waters Ella C.

Starting Point Billings

Route traveled

Carriage R.R.

to Helena

480 miles

(Continued.)

Respectfully submitted:

T. E. Collins

J. J. Thompson

H. L. Batchelder

Committee.

On motion of Cardwell,
said report was adopted and the
Committee discharged.

On motion of Kennedy
the Council, adjourned until
Monday next at 10 o'clock A.M.
Ruben L. Davis
Chief Clerk.

Council Journal Eighth Day.

Council Chamber

Helena, Montana
January 17th 1887

Council met at 10 a'm
pursuant to adjournment.

Mr. President in the Chair.
Roll called. Quorum present

Prayer by the Chaplain.
Journal of sixth day read and approved.

The following petitions were
presented.

By Kennedy, Petition of residents of
Missoula, for enactment of
statutes providing for the adequate
punishment of crimes against women
and girls.

By Kennedy, Petition of residents of
Missoula, for local option
law in reference to manufacture and
sale of intoxicating liquors.

Which were read and
ordered to be placed on file until bills
on said subjects shall be introduced,
and then to be referred to appropriate
committees.

Brundley introduced, Petition and
Joint Resolution No. 2 for relief of
George Bashaw, J. H. McFarland and
John O'Neill.

The rules were suspended, and
on motion of Collins the resolution
was read the first and second times; and
on motion of Collins the petition and
resolution, were referred to committee on
Ways and Means.

The following report
was received,

(Continued.)

Mr. President:

Your Committee on Printing would respectfully report C. B. No. 1 to amend Section 529 of the Fifth Division of the Revised Statutes, as correctly printed. *Fushlin* Chairman

On motion of Kennedy, C. B. No. 1 was referred to the Committee on Elections.

Notices of the introduction of bills were given as follows:

By Rickard:

"A bill providing for the transfer of certain records relating to Butte City Town site"

By Pardee:

"A bill for an act in relation to the creation of new counties."

By Pardee:

"A bill for an act to increase the duties of the Territorial Auditor."

Kennedy, introduced C. B. No. 4 "A bill for an act requiring the publication of certain matters"

Read first and second times and referred to "Committee on Printing."

The following communication was received:

House of Representatives
Helena, Mt.

January 15th 1887

Mr. President:

I am directed by the House to inform your Honorable Body,

That,

Notices of the introduction of bills have been given as follows:

By Thompson:

A bill for an act relating to an act to protect the wages of "mule workers."

Council Journal Eighth Day.

By Kanouse: "A bill for an act appointing members of the Legislative Assembly."

By Holt: "A bill to amend Section 1 of an act entitled an act to prevent the branding of cattle during certain seasons of the year"

Approved March 10th 1885.

By Brown: "A bill concerning the sale of intoxicating liquors to the indigent poor."

Also,

"A bill to amend Section 398 of the Fifth Division of the Revised Statutes, and to repeal Section 452 of the same."

Also,

"A bill concerning roads, superintendents, and defining their duties."

Also,

"A bill concerning road taxes, the manner of their collection, and disposition."

Respectfully

David M. Clark,
Chief Clerk.

Mr. President announced that in conformity to C. J. R. No. 1 he had employed the following persons as additional clerks for the Council

For assistant Clerk	Joseph S. Kirby
For Clerk of Committee on Ways and Means	George R. Healy
For Clerk of Committee on Judiciary	W. G. M. Entwistle

On motion of Collins the Council took a recess until 2. P. M.

2 P. M.

Council resumed

Mr. President in the chair.

(Continued)

Roll called Quorum present

Richards gave notice of introduction
of a bill relating to deposit of
public funds in banks.

The following communication
was received.

Territory of Montana
Secretary's Office

Helena Jan. 17th 1887

Hon. R. Q. Hickman

President of Council

Sir,

At the request of Prof.
W. M. Nye Supt. of Public Instruction
I herewith hand you the Eighth
Annual Report of the Superintendent
of Public Instruction of the Territory
of Montana.

Very Respectfully
W. B. Webb

Secretary of Montana.

On motion of Kennedy the
Council adjourned until to
morrow at 10 A. M.

Reuben S. Davis
Chief Clerk

Council Journal Ninth Day.

Council Chamber

Helena Montana
January 18th 1887

Council met at 10 a.m.
pursuant to adjournment

Mr. President in the Chair.
Roll called. Quorum present.

Prayer by the Chaplain.
Journal of Eighth day read and
approved.

Kennedy presented a
petition from residents of Missoula
County praying for local option law
in regard to sale of intoxicating liquors,
which was ordered placed on file,
pending introduction of a bill on
that subject, and then be referred
to appropriate committee.

The following Report was
presented:

Hon. R. C. Hickman
President of Council.

Your Committee on Ways
and Means, to whom was referred
C. J. R. No. 2.

For relief of George Barham,
J. H. McFarland and John E. Weir,
beg leave to report favorably on the
same, and would recommend its
passage.

J. A. Parker
Chairman

On motion of Kennedy, The rules
were suspended, C. J. R. No. 2
was considered engrossed, and passed
to third reading. Notices of introduction
of bills were given as follows.

(Continued)

By Kennedy: "A bill entitled an act, to amend Section 1193, Fifth Division of the Revised Statutes of Montana, relating to the running at large, of swine."

By Thompson, "A bill relating to the payment of jurors and witnesses before the District, and Probate Courts."

Also,

"A bill relating to the assessment and equalization of property and the manner of levying taxes."

Rickards introduced, C. R. No. 3. "A bill for an act providing for the transfer of certain records relating to the town site of Butte City."

which was read first and second times, and referred to the Committee on Towns and Counties.

The following communications were received.

House of Representatives.

Helena M.T.

January 17th 1887

Mr. President: I am directed by the House to inform your Honorable body, That,

Seoby, gave notice of "a bill to amend Sections 463 and 464 of the Fifth Division of the Revised Statutes."

Bills were introduced as follows:

By Brown: H. B. No. 3. "An act concerning the sale of intoxicating

Council Journal (Ninth Day)

liquors to the indigent poor."

Ordered printed

Also,

No. B. No. 4- An act to amend Section 398, and to repeal Section 402 of the Revised Statutes of Montana.

Ordered printed.

By unanimous consent, without having given previous notice, the Committee on Public Lands, introduced H. B. No. 1, concerning the repeal of the Desert Land Act of March 3rd, 1877.

Ordered printed.

Respectfully
David Mayhew
Chief Clerk.

House of Representatives

Helena Mt. January 19th 1889

Mr. President:

I am directed by the House to inform your Honorable body that

Notices of the introduction of bills have been given as follows:-

By Mantle:

"A bill for an act entitled an act relating to the registration of voters."

By Toole:

"A bill amending Section 801 Fifth Division - General Laws relating to license for sale of intoxicating liquors."

Bills were introduced as follows:

By Blake:

No. B. No. 5 "A bill for an act concerning the rights of married

(Continued.)

Women."

Ordered printed.
By Alderman,

H. B. No. 6. "An act to repeal certain Sections of the Fourth Division of the Revised Statutes of Montana."

Ordered printed.

David Mank's
Chief Clerk.

C. J. R. No. 2 was read the third time and passed by the following vote:

Ayes:—	Batchelder	Collins,	Cardwell
	Holladay	Hendley	Reynolds
	Pardee	Richards	Sutherland
	Thompson	Maters.	Mr. President.

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Vote None

Pitts agreed to
On motion of Sutherland,
Council took a recess until
2 o'clock P. M.

2. P. M.

Council resumed.

Mr. President in the Chair
Roll called. Quorum present.

The following report was received.

Mr. President,

Your Committee
on printing beg leave to report
Council Bill No. 4 requiring the
publication of certain matters as
correctly printed.
Sutherland
Chairman.

Notices of the introduction of
bills were given as follows:

By Thompson: "A bill for an act
to amend Article 1 of Chapter XV

Council Journal Ninth Day
of the Fifth Division of the
Revised Statutes of Montana,
relating to corporations for industrial
or productive purposes."

By Collins: "A bill for an act in
relation to the taxation of telegraph
companies"

Also, "To provide for the collection
of revenue."

By Waters: "A bill entitled" An act
concerning the Montana Library."

The following communication
was received.

House of Representatives

Helena Montana
January 18th 1887

Mr. President, I am directed
by the House to inform your
Honorable Body
That —

Notices of the introduction of
bills were given as follows;

By Woodward.

"A bill for an act to
authorize the organization and
incorporation of building and loan
associations."

By Kerrouse.

"A bill for an act to
amend the salary law."

By Muth. "A bill concerning
mortgages on real estate and
personal property of corporations."

Bills were introduced as
follows:

By Soby, H. B. No. 7

(Continued)

"An act concerning Bonds of Justices of the Peace and Constables"

Ordered printed.

By Blake. H. B. No. 8, "An act concerning the seal of the Territory."

By Harmon, H. B. No. 9 "A bill for an act to apportion the members of the Legislative Assembly"

Ordered printed.

Blake introduced H. J. M. No. 3 "Concerning the timber lands of the United States within the Territory of Montana."

House Bill No. 2 has passed the House and is herewith transmitted.

Under suspension of the rules H. B. No. 8 has passed the House and is herewith transmitted.

David Mark
Chief Clerk.

H. B. No. 2 was read first and second times and referred to Committee on Military Affairs.

H. B. No. 8 was read first and second times

On motion of Collins the rules were suspended, the bill was read a third time by its title and passed by the following vote.

Ayes

Batchelder Collins Carlwell
Holliday Hurdley Kennedy
Parsons Richards Smith
Thompson Waters and
Mr. President.

12

(Noes

None.

On motion of Kennedy the Council adjourned until

Council Journal Tenth Day

Council Chamber

Helena, Montana
January 19th 1887

Council met at 10 A.M. pursuant to adjournment.

Mr. President in the Chair.
Roll called.

Prayer by the Chaplain.
Journal of the ninth day read and approved.

Notices of introduction of Joint Resolution and bill were given as follows:

By Kennedy, "A Joint Resolution providing for the printing of additional bills and for better printing."

By Collins, "A bill to provide a banking law for Montana."

Bills were introduced as follows:

By Thompson, C. B. No 6 "A bill for an act to amend Article 1 of Chapter XV of the Fifth Division of the Revised Statute of Montana, relating to corporations for industrial or productive purposes."

Read first and second times and referred to "Committee on Printing."

Waters, introduced C. B. No. 7 "A bill for an act concerning the Montana library."

Read first and second times, and on motion of Kennedy referred to Committee on Judiciary."

Council Journal Fifth Day

Collins introduced C. B. No. 8

"A bill for an act in relation to the taxation of telegraph companies."

Read first and second times and on motion of Collins referred to Committee on Ways and Means.

Kennedy introduced C. B. No. 9. "A bill for an act to amend Section 1193, Fifth Division Revised Statutes of Montana."

Read first and second times and referred to Committee on Judiciary.

On motion of Kennedy C. B. No. 11 was referred to Committee on Towns and Counties.

On motion of Collins, The Report of the Territorial Superintendent of Public Instruction was referred to Committee on Education and Labor.

On motion of Kennedy the Council adjourned until tomorrow at 10 A.M.

Reuben L. Davis
Chief Clerk

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Council Journal Seventh Day

Council Chamber

Helena Montana
January 20th 1887

Council met at 10 A.M. pursuant to adjournment.

Mr. President in the Chair.

Roll called Quorum present.

Prayer by the Chaplain.

Journal of the sixth day read and approved.

Petitions were presented as follows;

By Richards,

Petition of citizens of Lewis and Clarke County for local option law, in reference to manufacture and sale of intoxicating liquors.

Also,

Petition from citizens of Lewis and Clarke County, for law providing for adequate punishment of crimes against women and girls.

By Cardwell,

Petition of C. J. Barnett and others, for passage of memorial for relief of settlers dispossessed of their lands by creation of Yellowstone National Park.

By Kennedy;

Petition of citizens of Missoula County, for law providing adequate punishment of crimes against women and girls.

Also,

Petition of citizens of Missoula County, for local option law.

The petitions were ordered placed on file, until bills or memorials on said subjects, shall be introduced.

Council Journal Seventh Day
and then to be referred to
appropriate committees.

The following Report was
presented.

Mr. President,

Your Committee
on Federal Relations to whom
was referred those portions of the
Governor's Message, relating to the
powers and rights of the Territories,
under the Act of Congress, Approved
July 30th 1886, entitled "An Act"
to prohibit the passing of local and
special laws in the Territories of the
United States, to limit Territorial
indebtedness etc.,

And those portions of
the Message relating to the subject
of Memorials to Congress.

Beq leave to report that
they have had the same under
consideration, and your Committee
earnestly recommends the passage by
this Legislature, of such Memorials
to Congress, upon the different subjects
referred to in said Message, as
will tend to relieve the people of
this Territory from the oppressive
limitations and restrictions put upon
their natural rights to self government,
by the passage of the Act of Congress
above referred to.

Respectfully Submitted.

H. C. C. C. C.
Chairman.

Notices of introduction of bills
were given as follows;

By Holliday, "A bill for the creation
of Park County and other purposes."

(Continued.)

By Cardwell, "A bill to regulate the fees of County Assessors."

Thompson, introduced C. B. No. 10: "A bill for an act concerning payment of jurors and witnesses in Criminal Cases in attendance upon the District and Probate Courts."

Read first and second times and referred to Committee on Printing.

Kennedy introduced C. J. R. No. 3 "Providing for the printing of additional bills and for other printing."

Read first and second times, and on motion of Kennedy, referred to Committee on Ways and Means.

The following communication was received:

House of Representatives

Helena Montana
January 19th 1887

Mr. President: I am directed by the House to inform your Honorable body, That—

Notice of the introduction of bills were given as follows:

By Brown: "A bill to enable the County of Beaverhead to erect a Court House."

By Muth, "A bill to amend Section 3 of an act entitled an act limiting compensation of certain

Council Journal Eleventh Day.

officers named herein"

By Page, "A bill for an act regulating gambling".

By Alderson, "A Joint Resolution providing for payment for printing resolutions, memorials etc, not provided for by the General Government, and for such daily papers as are published in the Capital as may be necessary for the members of the Legislative Assembly"

Also, "A bill to provide the public schools of the Territory with Webster's unabridged Dictionary."

Bills were introduced as follows:

By Holt: H. B. No. 11 "To amend Section I of an act to prevent the branding of cattle during certain seasons of the year"

By Kinnison, H. B. No. 12 "A bill ^{to amend an act} for an act entitled an act limiting compensation of certain officers herein named."

By White, H. B. No. 10. "An act to prevent the sale of intoxicants in variety theatres."

H. B. No. 1 and C. J. R. No. 2 have passed the House and the same are herewith transmitted.

David Marks
Chief Clerk.

H. B. No. 1 was read first and second times, and with petitions on file on the same subject referred to the Committee on Education and

(Continued)

Labor.

C. J. R. No. 2 was on motion
of Kennedy referred to Committee
on Enrollment.

By consent the following
Report was received: Mr. President,

Your Committee on Towns and Counties
to which was referred C. B.
No. 4, requiring the publication of
certain matters beg leave to
report the bill back with the
recommendation that it pass with
the following amendments:

In Section 3 line 4 (line 5 printed bill) strike
out the words, "warrants allowed," and
insert in lieu thereof the words "Bills
allowed and warrants ordered drawn
therefor."

In Section 3, line 5, (line 6
printed bill), strike out the words,
"to whom the warrant is issued" and
insert in lieu thereof the words "in
whose favor said bill is allowed."

(Also in the same line,
strike out the words "the cause of the
issuance of such warrant" and
insert in lieu thereof the words,
"the nature of the services or
materials for which such bill is
allowed."

In Section 3 line 6 (line
7 printed bill) strike out the word
"warrants" and insert in lieu
thereof the word "bills."

In Section 3 line 8 (line 9
printed bill) strike out the word
"variant" and insert in lieu
thereof the word "bill."

In Section 4 line 4
C. B. No. 4 and bill is inserted after the

Council Journal Seventh Day.

word, "counties" the words "for the fiscal year preceding March 1st."

On Section 4 make the Fifth Sub-section, the first and change the numbers of the other Sub-sections accordingly.

Hardwell
Chairman.

On motion of Kennedy, the Report and bill were placed upon general orders.

Waters, on account of sickness in his family was granted leave of absence until Monday next.

On motion of Kennedy, the Council adjourned until tomorrow at 10 A. M.

Ruben L Davis
Chief Clerk

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Council Journal Twelfth Day

Council Chamber

Helena Montana
January 21st 1887

Council met at 10 A.M.
pursuant to adjournment.

Mr. President in the Chair.
Roll called. Quorum present.

Prayer by the Chaplain.

Journal of Eleventh day
read and approved.

The following Reports were
presented.

Mr. President.

Your Committee
on Enrollment to which was referred
C. J. R. No. 2 for the relief of
George Bashaw, H. M. Farland
and John Mills begs leave to
report said Resolution correctly
Enrolled.

Kennedy
Chairman.

Mr. President:

Your Committee on
Printing to which was referred
C. B. R. No. 6 to amend Article 1
Chapter 10 Fifth Division Revised
Statutes of Montana, relating to
corporations for industrial or productive
purposes, would respectfully report
said bill as correctly printed but
that the original bill has been
returned by the printer in such
a mutilated condition as to make
it unfit for use and would therefore
recommend that one of the printed
bills be adopted as the original bill,
and that the Chief Clerk be
instructed to make the proper

Council Journal Twelfth Day

Endorsements: thereon

Secretary

Chairman

Mr. President,

Your Committee on Ways and Means to whom was referred C. J. R. No. 3, providing for the printing of additional bills, and for other printing, have had the same under consideration and beg leave to report it back with the recommendation that it pass.

Waters

For the Committee

On motion of Kennedy, the Report of the Committee on Printing was adopted.

On motion of Thompson, C. B. No. 6 was referred to the Committee on Corporations.

Kennedy gave notice of introduction of "a bill providing for the posting of strays in this Territory."

Holliday introduced C. B. No. 11 "A bill for an Act to create the County of Park and for the election of officers thereof."

Read first and second times and referred to "Committee on Towns and Counties."

On motion of Kennedy, the rules were suspended, C. J. R. No. 3 was considered engrossed and ordered placed on file for third reading.

The following communication was received:

16 continued.)

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House of Representatives

Helena M^t, Jan. 20th 1887

Mr. President.

I am directed by
the House to inform your
Honorable Body
That:-

Notices were given as follows;
"A Joint Memorial to Congress, asking
that the Indian Commissioners,
Messrs. J. V. Wright, J. W. Daniels and
C. F. Larabee, at present negotiating
and treating with the various
Indian tribes of Northern Montana,
under the provisions of an act of
Congress entitled "An act making
appropriation for the current and
contingent expenses of the Indian
Department, and for fulfilling treaty
stipulations with various Indian
tribes for the year ending June 30th
1887, and for other purposes,
approved May 15th 1886, be directed
to extend their negotiations under
the provisions of said act, to the
tribe of Crow Indians, situate
south of the Yellowstone river in
Southern Montana.

By Hoffman "A bill
concerning the improvement of the
law library of the Territory of Montana"

Bills were introduced as follows;
By Alderson; H. B. No. 14 "An act
to provide the Public Schools of the
Territory with Webster's unabridged
Dictionary. Ordered printed

By Blake. H. B. No. 15 "An act
concerning the times of holding terms
of the Supreme Court
Ordered printed

Council Journal Twelfth Day.

Alderson introduced H. J. R. No. 1 "providing for the payment of printing etc. not provided for by the General Government"

The Speaker has signed H. B. No. 8 "concerning the seal of the Territory"

Respectfully

David Marks
Chief Clerk.

C. J. R. No. 3 was read the third time and passed by the following vote

Ayes Batchelder Collins Cardwell
Holliday Hurdley Kennedy
Richardson Sutherland Thompson
and Mr. President. 10

Noes

None

Absent Parker and Waters
Tittle agreed to

The President announced signing C. J. R. No. 2.

Then being no objection the Resolution was signed.

On motion of Collins the Assistant Clerk was directed to act as Clerk for the Committee of the Whole when requested by the Chairman.

The Council resolved itself into Committee of the whole for the consideration of H. B. No. 4. Hurdley in the Chair.

Council resumed.
Mr. President in the Chair.

Hurdley Chairman of Committee of the Whole reported progress, and requested further time in which to report.

The Chair announced signing H. B. No. 8.

Then being no objection,

(Continued)

the bill was signed.

The following
communication was received

Territory of Montana
Executive Department
Helena

January 21st 1889
To the Council,
Suntmen,

I have
the honor to inform you that
I hereby nominate, and with your
consent will appoint and
Commission

Herbert Holloway
of Deer Lodge County, to be
Territorial ~~Veterinary~~ Surgeon.

Very Respectfully

S. F. Hauser
Governor.

Collins moved that said communication
be acted upon in open session - Carried

On motion of Collins, the
communication was referred to the
Committee on Grazing and Stock
Raising. who were instructed to
report as fully and as soon as
possible.

On motion of Kennedy,
The Council adjourned until to
morrow at 10 A.M.

Richard L. Davis
Chief Clerk

Council Journal Thirtieth Day,
Council Chamber

Helena Montana
January 22^d 1887

Council met at 10 A. M.
pursuant to adjournment.

Mr. President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal of twelfth day read and
approved.

The following petitions of citizens
of Silver Bow County were presented
by Rickard:

Petition for enactment of
law providing adequate punishment
for crimes against women and girls.
Also,

Petition for local option law
in relation to manufacture and sale
of intoxicating liquors.

Orders placed
on file to be referred to appropriate
Committees.

The following reports were
received.

Mr. President,

Your Com-
mittee on Towns and Counties to
whom was referred H. B. No. 11
entitled "An act to create the
County of Park, and for the
election of officers thereof" have had
the same under consideration, and
beg leave to report the bill back,
with the recommendation that it
do pass.

Cardwell
Chairman.

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(Continued)

Mr. President,

Your Committee on Judiciary to which was referred H. R. Bill No. 3, amending Section 55 of the Probate Practice Act, has had the same under consideration. The existing law gives creditors preference over the Public Administrator in granting letters of administration on estates of persons dying intestate. This bill seeks to reverse this order, and gives Public Administrators preference over creditors. The bill also seeks to amend the existing law by providing that if no petition for letters is made on or before the first day of the second term of the Court by any of the persons entitled thereto under the law, that then the judge shall issue letters to the Public Administrator, who shall proceed to administer the estate as provided by law. The Committee believe the two amendments tend to perfect the existing law, and therefore recommend that the bill be adopted.

D. C. Collins

Chairman.

Mr. President,

Your Committee on Printing respectfully report H. R. No. 10 entitled an act concerning payment of jurors and witnesses in Criminal cases in attendance upon the District and Probate Courts as correctly printed

J. S. Keeler

Chairman

Council Journal Thursday, Mr. President.

Your Committee on Education and Labor, to whom was referred that part of the Governor's Message, relating to "Public Schools" beg leave to most respectfully report:-

With all due respect to the Governor, we think it impracticable, to ask the Government for an advance of a half million dollars on our school lands, as he suggests. However your Committee will soon present to this body a Memorial to Congress, asking that the surveyed school lands be turned over to the Territory for immediate use. The introduction of training in manual labor, in our public schools, and the establishment of a Normal school as suggested by the Governor are both good measures; while we hope some way can be provided by which his suggestions can be carried out, it is our judgement that it is not advisable to attempt either, until we can make some disposition of our school lands.

J. E. Rickards
Chairman.

Mr. President,

Your Committee on Education and Labor, to whom was referred the Report of the "Territorial Superintendent of Public Instruction" would most respectfully submit; they have duly considered said Report and in due time Bills covering such recommendations as need our approval will be offered.

J. E. Rickards
Chairman.

(Continued)

Mr. President:

Your Committee on Education and Labor to whom was referred H. R. No. 1 "A Bill for an Act concerning the crime of rape" beg leave to make a majority report. Reports are hereby appended.

J. E. Rickards
W. H. Sutherland.

Mr. President:

The undersigned constituting a majority of your Committee on Education and Labor to whom was referred H. R. No. 1 "A Bill for an Act concerning the crime of rape", do most respectfully report; we have had the same under consideration and report it back with amendments hereto attached, and with the recommendation that as amended it do pass.

J. E. Rickards
W. H. Sutherland

Amendments offered in majority report of Committee on Education and Labor on H. R. No. 1 "A Bill for an Act concerning the crime of rape." Section 116 on line 13 after the word "person" shall be added the words "of the age of fifteen years or over."

On line 16 same Section the word "fifteen" to be stricken out, and in lieu thereof the word "seven" to be added. That the last word on line ¹⁹ "for" and the first word ^{on line 20} "life" be stricken out and in lieu thereof shall be added the following - "for a term of not less than five years, and which may be extended to twenty years"

J. E. Rickards
W. H. Sutherland.

Council Journal Thirtieth Day.

Mr. President,

The minority of your Committee on Education and Labor, to which Committee was referred H. B. No. 1, concerning the crime of rape, beg leave to report said bill back, with the recommendation that it do pass with the following amendments.

In line 13 (third line Section 46 printed bill) after the word "person" insert the words "of the age of sixteen years or over."

Also strike out the word "life" in line 20 (line 5 Section 46, printed bill) and insert in lieu thereof the words "a term of not less than five years and which may be extended to twenty years"

Renewed
On motion of Kennedy,
H. B. No. 1 and C. B. No. 3 were placed on general order, for consideration of Committee of whole.

Notice of introduction of bills were given as follows:

By Collins: "A bill for an act providing for the punishment of persons in the possession of stolen property in the Territory of Montana, having stolen the same in another State, Territory or Country, and for the punishment of receivers of stolen property in certain cases."

By Kennedy: "A bill in relation to fencing railroads and erecting of cattle guards."

By Collins: "A bill providing for the creation of the office of Public Examiner in the Territory of Montana and defining his duties."

(Continued.)

Bills were introduced as follows:
By Kennedy: C. B. No. 12 "An Act to provide for the posting of strays in this Territory." Read first and second times and referred to "Committee on Printing."

By Richards: C. B. No. 13: "A bill for an Act authorizing the deposit of public funds in banks." Read first and second times and referred to Committee on Printing.

On motion of Kennedy C. B. No. 10 was referred to Committee on Judiciary.

The following communication was received from the House.

House of Representatives

Helena MT, January 2, 1887

Mr. President:

I am directed to inform your Honorable body -
That:

Notices were given as follows:

By Buskett: "A bill for the relief of (A. J. Davidson and Wm. N. Baldwin)"

By Alderson: "A Memorial asking Congress for a suitable appropriation for the purpose of constructing a permanent wagon road from Gardiner to Mammoth Springs, to or near Cooke City Montana."

Bills were introduced as follows:

By Brown: H. B. No. 16 "An act concerning Road Superintendents, and defining their duties" Ordered printed

Also, H. B. No. 17 "An act to enable the County of Beaverhead to build a Court House."

Council Journal Thirteenth Day.

By Blake. H. B. No. 18 "A bill for an act to amend an act concerning the power of corporations to own land." Ordered printed.

By Coffman. H. B. No. 19 "An act for the purpose of appropriating money for the improvement of the Law Library of the Territory of Montana." Ordered printed.
 By Page: H. B. No. 20. A bill for an act to establish a hospital for the insane. Ordered printed.
 The Speaker has signed C. J. M.

No. 2.

H. J. Memorials No's. 1. 2. 3. 4 and 5 have passed the House, and they are herewith transmitted.

Respectfully
 David Marks
 Chief Clerk.

H. J. M. No. 1 was read first and second times and referred to Committee on Public Lands.

H. J. M. No. 2 was read first and second times, and referred to Committee on Military Affairs.

H. J. M. No. 3 was read first and second times and referred to Committee on Public Lands.

H. J. M. No. 4 was read first and second times and referred to Committee on Federal Relations.

H. J. M. No. 5 was read first and second times. On motion of Kennedy, the rules were suspended and the H. J. M. No. 5 was placed on file for third reading. Read third time and passed by the following vote;

Ayes	Balch	Collins	Cardwell
	Holliday	Hendley	Kennedy
	Rickards	Putherton	Thompson
	and Mr. President	...	10

Noes. None Absent & Present 2

Yates agreed to.

The Council resolved itself into Committee of the whole for the consideration of

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Continued

general orders. Munday in the Chair.
Council resumed. Mr. President
in the Chair.

Munday, chairman of
Committee of the whole reported having ^{had} under
consideration C. B. No. 4, and asked further
time in which to prepare and present
the report of said Committee, which
was granted.

On motion of Rickards the
Council took a recess until 2 P. M.
2. P. M.

Council resumed.

Mr. President in the Chair.
Roll called. Quorum present.

On motion of Kennedy the
Council resolved itself into Committee
of the Whole for the consideration of general
orders. Collins in the Chair.

Council resumed.

Mr. President in the Chair.

The following reports were
received.

Mr. President,

The Committee of the
Whole, has had under consideration House
Bill (No. 1, and the Chairman has been
instructed to report the bill back to the
Council, with the recommendation that the
bill do pass as amended by the majority
of the Committee on Education.

Collins - Chairman

Mr. President,

The Committee of the Whole
has had under consideration C. B. No. 11 "An
act to create the County of Park and for the
election of Officers thereof. It recommends
to the Council that the bill be referred to
the Judiciary Committee for further consideration.

Collins - Chairman

Mr. President,

The Committee of the Whole
has had consideration of C. B. No. 3 and
the Chairman has been instructed to

Council Journal Thirtieth Day

recommend the passage of the bill without amendment.

Collins, Chairman.

On motion of Kennedy, H. B. No. 11 was referred to the Committee on the Judiciary; and,

C. B. No. 3 and the amendments to H. B. No. 1 were referred to Committee on Engrossment.

On motion of Kennedy the Council adjourned until Monday next at 10 A. M.

Reuben L. Davis

Chief Clerk

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Council Journal Fifteenth Day

Council Chamber

Helena Mt. January 24th 1887

Council met at 10 A.M. pursuant to adjournment.

Mr. President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal of thirteenth day read and approved.

Rickards presented petition of 469 residents of Silver Bow County, praying that in all places of public entertainment, theatrical, musical, variety, or by whatever name denominated, no private boxes or places partitioned off with curtains should be allowed, except in a legitimate theater where four boxes may be permitted.

That in no case any intoxicating liquors, spirits, wines, beer, or ale should be sold or given to the occupants of such boxes.

That all places where entertainments are given, whether admission fee is charged or not, should pay license.

That women who appear in semi-nudity or in "character dances" be precluded from the auditorium of places of public resort, and for prohibiting employment of women in public drinking resorts.

Referred to Committee on Education and Labor, with instructions to prepare and introduce a bill concerning said matters.

The following Report was received:

Mr. President:

Your Committee on Military Affairs to which was referred H. B. No. 2 "A bill for an act to authorize the Governor to execute bonds for arms for the militia and H. J. M. No. 2 concerning the D. B. Refuse

Council Journal Fifth Day:

Military Reservation, beg leave to report them back with the recommendation that they do pass.

Kennedy Chairman.

Notices of introduction of bills were given as follows:

By Kennedy: "A bill to provide for a Territorial Board of Arbitration for the settlement of differences between employers and their employees."

By Holliday: "A bill for the relief of A. W. Tanner."

By Lusherin: "A bill for an act to amend Section 371 of the Fifth Division of the Revised Statutes, by adding a clause thereto relative to the transfer of the moneys of the poor fund"

Also,

"A bill for an act to restrict the duties of County Clerks, Probate Judges, and Justices of the Peace."

Collins introduced, C. B. No. 14 "A bill for an act providing for the punishment of persons in the possession of stolen property in the Territory of Montana, having stolen the same in some other Territory, State, or Country, and for the punishment of receivers of stolen property."

Read first and second times and referred to "Committee on Printing."

Kennedy introduced, C. B. No. 15 "An act in relation to fencing railroads and erection of cattle guards."

Read first and second times and referred to Committee on Printing.

Collins introduced, C. B. No. 16 "A bill for an act concerning banks and banking."

Read first and second times, and on motion of Collins, referred to Committee on Incorporations.

No. B. No. 1 was on motion of Kennedy withdrawn from

(Continued.)

Committee on Engrossment, and on motion of Collins, placed in general order.

The following communication was received

House of Representatives

Helena Mt., January 22^d 1887

Mr. President;

I am directed by the House to inform your Honorable Body.

That-

Voices were given as follows:

By Hancock, "A bill for an act for the safety of miners."

By Buckett: "A bill to repeal sections 2 and 3 of an act entitled an act to provide for the collection of special Poor Tax" approved February 10 1883.

By Kanebuse. "A bill for an act to secure watering places for stock."

Buckett introduced H. B. No. 21 "An act for the relief of A. J. Davidson and Wm N. Baldwin,

Orders printed.

The Committee on Public Lands introduced H. B. No. 6 "Relating to the extension of public survey."

H. B. No. 11 has passed the House and the same is herewith transmitted.

The Governor has approved H. B. No. 8

David Marks.

Chief Clerk.

H. B. (No. 11) was read first and second times and referred to Committee on "Grazing and Stock raising."

Hurdley, in leave presented the following report:

Your Committee of the whole, who have had under consideration H. B. (No. 4),

"Regarding the Publication of Certain Matters." beg leave to Report, recommending that it do pass

Council Journal Fifteenth Day.

with the following amendments.

In Section 1 line 8 printed bill by inserting after the word, therefore as follows:

Said statement shall also show in detail, from personal knowledge, and from the records of his office, the names of parties doing business, without a license, the nature of said business and the place where conducted. The Commissioners shall also add to said list for publication, the names of such other persons as they may know are doing business in the County without a license.

And if at the next regular meeting, the Treasurer has not collected such licenses, or proceeded so to do as provided by law, or given good reasons why the same have not been collected, the Commissioners shall deduct the amounts of such licenses from the salary of said Treasurer.

In Section 2, line 3 after the word "same" by inserting the words "or a synopsis thereof."

In Section 2 line 6 printed bill after the word published, add "And provided further, that preference shall be given to one of the papers published at the County Seat, in the publication of the matter mentioned in this Section.

In Section 3 line 1 printed bill, strike out the words "and Records."

Same Section line 5 printed bill, strike out the words "warrants allowed" and insert in lieu thereof the words "bills allowed and warrants ordered drawn therefor."

Same Section line 6 printed bill, strike out the words "to whom the warrant is issued" and insert in lieu thereof, the words "in whose favor said bill allowed."

(Continued).

Also, in same line, strike out the words "the cause of the issuance of such warrant" and insert in lieu thereof, the words "the nature of the services or the materials for which such fee is allowed."

Same Section line 7 printed bill, strike out the word "warrants" and insert in lieu thereof, the word "bills."

Same Section line 9 printed bill, strike out the word "warrant" and insert in lieu thereof the word "bill."

Same Section line 10 printed bill, after the word published, add "And provided further, that preference shall be given to one of the papers, published at the County seat, in the publication of the matter mentioned in this Section."

In Section 4, strike out the first five lines printed bill and substitute the following, "It shall be the duty of the County Treasurer, of each County in the Territory to make out and present to the County Commissioners of their respective Counties at the regular Spring term in each year a full and complete statement of the financial condition of their respective Counties for the fiscal year preceding March 1st - which statements shall show;

First, Just the amount of moneys, if any, on hand as shown by the statement of the previous year.

Second, The amount of moneys received by the Treasurer for taxes upon real and personal property.

Third, The amount of moneys received by him for fines penalties and forfeitures.

Fourth, The amount of moneys received by him for licenses.

Fifth, The amount of moneys received from all other sources.

Sixth, Said statement shall show also the assessed valuation of all real and

Council Journal (Fifteenth Day,
 Personal property for that year at rate of taxation, the assessed valuation
 of personal property, in which taxes have
 not been paid: the total delinquent taxes
 for that year and for each three
 preceding years.

On motion of Kennedy
 the Committee rose with instructions
 to Report back to Council C. B. No. 4
 as amended in Committee of the
 whole, with recommendation that it
 pass as amended. Carried.

Kennedy, Chairman.
 On motion of Kennedy the
 report was amended by inserting
 therein after the words "year" the words
 "On Section 7 first line (printed bill)
 after the word "clerk" strike out
 the words "and Recorder"; the report as
 amended was adopted and the
 bill was referred to its Committee
 in Town and Country.

Collins in Care
 presented the following Report:

Mr. President;
 The Judiciary
 Committee to which was referred C. B.
 No. 9 beg leave to report the same
 back for the action of the Council
 without recommendation.

Respectfully.

Collins Chairman.
 C. B. No. 9 was placed on general
 orders.

On motion of Collins H. B.
 No. 1 was taken from general orders and
 brought before the Council for action.

Kennedy moved to amend,
 by inserting after the word "child" in line
 13 of printed bill, the words "of a
 character" which motion after discussion
 was withdrawn.

On motion of Kennedy,
 H. B. No. 1 was referred to Committee
 on Judiciary.

On motion of Kennedy

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(Continued)

the Council resolved itself into Committee of the whole, for the consideration of general orders.

Collins in the Chair.
Council resumed.

Mr. President in the Chair.

The following Reports were received.

Mr. President;
The Committee of the whole have considered C. B. No. 9 and recommend it back to the Council for adoption.

Collins, Chairman
Mr. President;

The Committee of the whole, has considered H. J. M. No. 2 and has requested that the same, be reported back to the Council with recommendation that it pass.

Collins Chairman.
Mr. President;

The Committee of the whole have considered H. B. No. 2, and have instructed its Chairman to report the same back with recommendation that it do pass.

Collins Chairman.

On motion of Kennedy, C. B. No. 4 was referred to Committee on Engraving.
H. B. No. 2 and H. J. M. No. 2 were passed to third reading.

On motion of Collins,
Council adjourned until to morrow at 10 A. M.

Reuben L. Davis
Chief Clerk

Council Journal Sixteenth Day.

Council Chamber
Helena Montana Jan 25th 1887

Council met at 10 A.M. pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal of fifteenth day was read and approved.

Sutherland presented petition of citizens of Meagher County for law prohibiting ~~workmen~~ and ~~refiners~~ from being employed in public drinking resorts etc. which was filed to be referred to appropriate Committee.

The following reports were received:

Mr. President

Your Committee on Engrossment to whom was referred C. B. No 3 concerning the Probate Practice Act Section 55 Chapter 3 Second Division of the Revised Statutes of Montana, beg leave to report that they have examined the same and find it correctly engrossed.

Respectfully

Chairman.

C. B. No. 3 was ordered placed in file for third reading.

Mr. President,

Your Committee on Enrollments beg leave to report that, C. J. R. No. 2 was presented to the Governor for his approval at 12 M Jan. 21 1887.

Respectfully

Chairman.

Mr. President,

Your Committee on Grazing and Stock raising to whom was referred C. B. No. 11, have had the same under consideration, and

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(Continued)

report the same back with
recommendation that it do pass.

Hornedley Chairman.

H. B. No. 11 was placed in general
orders.

Notices of introduction of bills
were given as follows:

By Rickards "A bill for an
act to punish seduction."

By Kennedy "A bill to amend
an act amending Section 870 of the
Fifth Division of Revised Statutes,
concerning record of mining locations,
approved March 3rd 1883."

By Hornedley, "A bill to amend
an act to provide for the
compensation of Counsel in certain
criminal cases."

Bills were introduced as
follows:

By Hornedley: H. B. No. 17 "A
bill for the relief of A. W. Tanner."

Read first and second times and
referred to Committee on Ways and Means."

The following communication
from the House was received:

House of Representatives

Washed D.C., January 24th 1887

Mrs. President.

I am directed by the
House to inform your Honorable body
that:

Notices were given as follows:

By Taylor "A bill to amend School
Districts Nos 8 Lewis and Clark County
a certain portion of School District No 1
Holtan County."

By Page, "A bill for an act to
amend Section 310- article 3 Page
469 Revised Statutes of Montana 1879."

Bills were introduced as
follows:

By ~~Barnett~~ H. B. No. 22

Council Journal Sixteenth Day;

"An act to repeal Sections 2 and 3 of an act entitled an act to provide for the collection of a special poor tax."

Approved Feb'y. 15th 1883. Ordered printed.

By Harwood, H. B. No. 23 "An act to secure to miners greater safety."

Ordered printed.

By Murph H. B. No. 24 "An act concerning mortgages upon real and personal property. Ordered printed.

H. B. No. 4 was read a third time and lost.

H. B. Nos. 3, 5, 10, and H. J. R. No. 1 have passed the House, and they are herewith transmitted.

David Marks
Chief Clerk.

H. B. No. 3 was read the first and second times and referred to Committee on Towns and Counties.

H. B. No. 5 was read the first and second times, and referred to Committee on Judiciary.

H. B. No. 10 was read the first and second times and referred to Committee on Education and Labor.

H. J. R. No. 1 was read the first and second times and referred to Committee on Ways and Means.

H. J. R. No. 2 was read the third time and passed by the following vote.

Ayes.

Batholder	Cardwell	Collins
Molliday	Bundley	Kennedy
Rickards	Richlin	Thompson
Water and	Mr. President.	"

Nays -

None...

Absent Ponder

Fitts agreed to

"in return of Ponder was granted leave of absence during his absence sickness, from date of

H. B. No. 2 was read the third time and passed by the following vote.
Ayes -
Batholder
Cardwell
Collins
Molliday
Bundley
Kennedy
Rickards
Richlin
Thompson
Water and
Mr. President.
Nays -
None...
Absent Ponder
Fitts agreed to
"in return of Ponder was granted leave of absence during his absence sickness, from date of

Continued)

H. B. No. 3 was read the third time. By unanimous consent, the title of the bill, was amended so as to read as follows: "An Act amending the Probate Practice Act Section 55 Chapter III Second Division Revised Statute of Montana."

And the bill was passed by the following vote:

Ayer	Bateldur,	Cardwell	Cocline
	Hooverday	Kennedy	Kennedy
	Rickards,	Sutherland	Thompson
	Waters and Mr. President.		"
Doer		Stone	
Urbent		Pardue,	

On motion of Kennedy, the Council resolved itself into Committee of the whole for the consideration of general orders.

Kennedy in the Chair.
Council resumed.

Mr. President in the Chair.
The following Report was received
Mr. President:

Your Committee of the whole to whom was referred H. B. No. 11, to amend Section 1 of an act to prevent the branding of cattle during certain seasons of the year, beg leave to report the bill back with the following amendments.

In Section One, strike out the words "15th day of November" and substitute, therefor the words, "1st day of December."

Also strike out Section two of the bill.

And the Committee further recommend that the bill as amended do pass.

Kennedy
Chairman.

On motion of Kennedy the amendments to H. B. No. 11 recommended in the Report of the

Council Journal Tenth Day.

Committee of the whole, were adopted, and the two as amended were referred to the Committee on Engraving.

On motion of Collins, the Council adjourned until to morrow at 10 A.M.

Rubens L Davis
Chief Clerk.

Council Journal, Twentieth Day
 Council Chamber Helena Mt.
 January 26 1887

Council met at 10 A.M. pursuant
 to adjournment. Mr. President in the Chair
 Roll called. Quorum present.

Prayer by the Chaplain.

Journal of nineteenth day read
 and approved.

Mr. President announced
 signing H. J. M. No. 5. No objection being
 made the same was signed.

Petitions for passage of laws
 prohibiting the employment of women
 and minors in places where intoxicating
 liquors etc. are sold were presented as
 follows:

By Waters. Petition of citizens of
 Dawson County.

By Rickards. Petition of citizens of
 Silver Bow County.

By Kennedy. Petition of citizens of
 Missoula County.

Ordered, placed on file to be
 referred to appropriate Committee.

The following reports were
 received

Mr. President:

Your Committee
 on Engrössment to whom was referred
 Co. B. No. 9 "A bill for an act to amend
 Section 1193 Fifth Division, Revised
 Statutes of Montana, concerning swine
 running at large, beg leave to report that
 they have examined the same, and find it
 correctly engrossed.

Holliday
 Chairman.

Mr. President:

Your Committee on
 Engrössment, to whom was referred
 H. B. No. 11 "An act to amend
 Section 1 of an act entitled an act to
 prevent the branding of cattle owning

Council Journal Twentieth Day.

Certain reasons of the year, approved
March 10th 1885 by leave to report that
they have examined the same, and
signed the amendments, there to correctly
engrossed.

W. C. Holliday Chairman

MR. PRESIDENT—Your committee to whom was referred C B No. 11, "an act to create the county of Park, and for the election of the officers thereof," beg leave to report that they have carefully examined its provisions and have found that they are essentially those contained in all the bills creating counties in this Territory for the past seven years. It has been intimated, however, that under the act of Congress approved July 30, 1886, commonly known as the restrictive act, it is not within the power of the legislature to pass bills of the nature of the one under consideration; we have therefore deemed it our duty to examine the provisions of said act of Congress as closely as the time at our disposal would allow. It is apparent from the general power conferred on the Legislature by the Organic Act that unless directly prohibited by this late act of Congress, the Legislature has as full power to pass any and all laws as it ever had. Within the general power of the Legislature the creation of new counties is unquestionably contained, and unless it can be shown affirmatively that this power is withheld by the restrictive act it undoubtedly still exists. If inquiry on the subject leads merely to a doubt of the power, the doubt is in favor of the legislative right. We do not think that a careful reading of the provisions of said act will show anything that in any manner interferes with the legislative power in this matter. Special legislation as regards certain specified things is prohibited, and, of course, no one can doubt that legislation on any of these is unlawful; special legislation in general, however, is not prohibited by that act. In other than the cases enumerated wherever a general law cannot be made applicable the legislature has still the undoubted power to pass special or local acts; in fact this power is unmistakably contained in the act itself. If a general law cannot be made applicable to a particular case then a special law is authorized by the act, and whether a general law can be made applicable is unquestionably, by the weight of authority

of the various courts of the United States wherein similar constitutional provisions exist, a question directed solely to the legislative discretion and sense of duty. In fact whether counties could be established by a general law so as to meet the exigencies of each particular case is extremely doubtful, perhaps impossible. We are therefore of the opinion that the end sought can be attained by the legislature in any of the customary methods. It cannot be claimed that the acts of Congress relating to the Territories have any greater force or sanctity than the constitution of a State, yet similar restrictions to those we have on legislative power have repeatedly been held not to prohibit acts not directly inhibited. In fact it has been held by some of the ablest courts in the Union that acts incorporating counties and fixing their boundaries are matters of public policy, and are therefore public and not special acts. This view, it may be observed, has been approvingly cited in a late decision of the Supreme Court of the United States.

In only three of the States of the Union have we been able to find constitutional prohibitions against creating new counties. They are all old States, in which local interests probably caused the insertion of the clause. Under fully as restrictive provisions as those we have, we find the creation of new counties still going on in the growing commonwealths of the West, and we see no reason why an exception thereto should be made in Montana.

Much has been said about the injustice of the restrictions contained in section 1 of the act of Congress, but it may be observed that like provisions are contained in the constitutions of many of the States, and even in the constitution of the future State of Montana the same can be found, Art. IV., Sec. 28.

To conclude, your committee being of the opinion that the bill under consideration is not in conflict with the provisions of any act of Congress, recommend that the same be adopted.

All of which is respectfully submitted.
T. E. COLLINS, Chairman.

Mr. President; The Judiciary
Committee to which was referred
S. B. No. 10, a bill for "An Act
concerning payment of jurors and
Witnesses" in Criminal Cases in
attendance upon the District and
Probate Court have considered the same.

The Committee with our hearty
approval, and we recommend that it
be passed by the Council.

T. E. Collins ...
Chairman.

Mr. President; Your Committee
on Federal Relations to whom was
referred H. J. M. No. 4 have had the

(Continued)

same under consideration, and beg leave to recommend that the Memorial do pass.

Hundley Chairman

Mr. President:

Your Committee on Printing beg leave to report C. B. No. 15 "An Act in relation to fencing Railroads and erection of cattle guards" as correctly printed

Sutherland Chairman

Mr. President:

Your Committee on Printing beg leave to report C. B. No. 14 "A bill for an act providing for the punishment of persons in the possession of stolen property in the Territory of Montana, having stolen ~~the same~~ ^{the same} in another State, Territory or Country; and for the punishment of receivers of stolen property in certain cases" as correctly printed.

W. H. Sutherland Chairman

Mr. President:

Your Committee on Printing beg leave to report C. B. No. 13 "A bill for an act authorizing the deposit of public funds in Banks" as correctly printed

Sutherland Chairman

Mr. President:

Your Committee on Printing beg leave to report C. B. No. 12 "An act providing for the posting of gators in this Territory" as correctly printed.

Sutherland Chairman

Council Journal Seventeenth Day.

C. B. Nos 9 and 11 were placed on file for third reading.

C. B. No. 10 and H. J. M. No. 4 were placed on general orders.

C. B. No. 15 on motion of Kennedy, referred to Committee on Agriculture and Manufactures.

C. B. No. 14 was referred to Committee on the Judiciary.

C. B. No. 13 was referred to Committee on Ways and Means.

C. B. No. 12 was on motion of Kennedy, referred to Committee on Agriculture and Manufactures.

Bills were introduced as follows:

By Cardwell: C. B. No. 18
"A bill for an act in relation to fees of County Assessors." Read first and second times and referred to Committee on Printing.

By Handley: C. B. No. 19,
"A bill for an act to amend an act to provide for counsel in certain Criminal cases, approved February 23rd 1881." Read first and second times and referred to Committee on Printing.

By Sutherland, C. B. No. 20,
"A bill for an act to amend Section 371 of the Fifth Division of the Revised Statutes." Read first and second times, and referred to Committee on Printing.

The following communication from the House was received.

House of Representatives
Second Mtg January 25th 1884
Mr. President, I am directed by the

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(Continued)

House to inform your Honorable body,
That:

Notices of the introduction of bills
have been given as follows:

By Hanson, "A bill entitled
an act to secure persons and animals
from danger."

By Mantt, "A bill for an act to
establish the office of Commissioner of
Miners."

By Gorham, "A bill for an act
to amend an act relative to bounty
for killing certain animals"

By Buskett, "A bill for the
organization of independent graded
schools districts within the Territory
of Montana." Bills were introduced as
follows:

By the Judiciary Committee H. B.
No. 25 "A bill for an act defining
compensation for County officers"

Ordered printed.

By Buskett, H. B. No. 26
"An act to provide for the registration
of the names of electors, and to prevent
frauds at elections." Ordered printed.

By Page, H. B. No. 27 "A bill
for an act to regulate gambling."

Ordered printed.

Also, H. B. No. 28 "A bill for an act
to amend Section 310, Article 3 page
2164 Revised Statute of Montana!"

Ordered printed.

By Mantt, H. B. No. 29,
"A bill for an act in relation to
railroad corporations." Ordered printed.

By Ramsay, H. B. No. 30,
"A bill for an act to secure

Council. Journal Seventeenth Day
watering places for stock". Ordered printed.
J. M. No. 5. Mr. Speaker has signed H.
The following resolution has been adopted by
the House;

Resolved:

That a committee
to consist of three from the House and
two from the Council, to constitute a
joint committee, be appointed to
visit the Territorial Law and
Miscellaneous libraries and ascertain
what appropriation may be needed
by said libraries; for the purchase
of books, printing etc., and what books
may be needed, to complete the sets
of books in said libraries and to
report such further legislation, in
respect to said libraries, as to them
may seem proper.

Marshall.

(Copy)

That in conformity with
the foregoing, Mr. Speaker appointed as
a committee on the part of the
House, Messrs. Marshall, Spaulding and
Harwood.

David Mack.

Chief Clerk.

Resolved and moved that the
resolution adopted by the House in regard
to the Territorial Law and Miscellaneous
Libraries, as contained in the foregoing
communication be adopted.

Which was carried; and Remedy and
Collins were appointed a Committee
on the part of the Council, to act jointly
with the House Committee in regard to
said matter.

H. B. No. 11 was read the
third time, and passed as amended by
the following vote.

(Continued.)

Ayes: Batchelder Collins Cardwell
Holladay Humalley Kennedy
Pardee Richards Sutherland
Thompson Waters and Mr. President 12

Noes: None. 0

Vote agreed to.

C. B. No. 9 was read the third time and passed by the following vote

Ayes: Batchelder, Cardwell Holladay
Hummalley Kennedy Pardee
Richards Sutherland Thompson
Waters and Mr. President 11

Noes: Collins 1

Vote agreed to.

C. B. No. 11 was read the third time and passed by the following vote.

Ayes: Batchelder Collins Cardwell
Holladay Humalley Kennedy
Pardee Richards Thompson
Waters and Mr. President 11

Noes: Sutherland 1

Vote agreed to.

The Council resolved itself into Committee of the whole for the consideration of general orders.

Kennedy in the Chair.

Council returned.

Mr. President in the Chair.

The following Report was received.

Mr. President:

Your Committee of the whole, to which was referred H. J. M. No. 4, concerning the Congressional Restriction Act, and C. B. No. 10 concerning payment of jurors and witnesses in criminal cases, beg leave to report, recommending the passage of C. B. No. 10 and asking further time for consideration of H. J. M. No. 4.

Kennedy
Chairman

Council Journal Seventeenth Day.

On motion of Kennedy,
C. B. No. 18 was referred
to the Committee on Engraving, and
the Committee of the whole were granted
further time for consideration of H. J. M.
No. 41.

On motion of Collins
the Council adjourned until to
morrow at 10 A. M.

Reuben L. Davis
Chief Clerk

Council Journal Eighteenth Day.
 Council Chamber,
 Helena Montana January 27th 1887

Council met at 10 A.M. pursuant to adjournment. Mr. President in the Chair.
 Roll called. Quorum present.

Prayer by the Chaplain.
 Journal of seventeenth day read and approved.

Petitions were presented as follows:

By Rickards:

Petition of citizens of Silver Bow County for law prohibiting employment of women and minors in public drinking resorts.

By Fetherlin:

Petition of citizens of Diamond City, for law to increase license for gambling.

By Kennedy:

Petition of citizens of Missoula County, for local option law. Also - Petition for law for protection of women.

By Wendley:

From citizens of Lewis and Clark County: Petition for local option law and for protection of women. Ordered filed, to be referred to appropriate committees.

The following communications from the Governor, together with accompanying petition of residents of Sun River, for relief of certain Cree Indians, were received Territory of Montana.

Executive Department
 Helena January 27 1887

To the Council and House of Representatives,
 Gentlemen,

I beg to submit herewith a petition from citizens at Sun River, in reference to the condition of certain Indians on Milk Creek between the north and south

Council Journal Eighteenth Day.

branches of Sun river.

From the character of the citizens making the representations, and also from private information, I have no doubt but that the statements therein contained are correct, and I would respectfully recommend that your honorable bodies appropriate from three to five hundred dollars, for their support until such time as the general government can provide for them.

Very Respectfully

J. T. Hauser
Governor.

The communication and petition were in motion referred to the Committee on Indian Affairs.
The following Reports were received:

Mr. President:

Your Committee to whom was referred Council Bill (No. 10) relating to the payment of jurors and witnesses in Criminal Cases in attendance upon the District and Probate Courts, beg leave to report that they have examined the same and find it correctly engrossed.

Holliday Chairman.

Mr. President:

The Judiciary Committee, has carefully considered H. B. (No. 1) "An act concerning the crime of rape," and beg to present a substitute therefor, and recommend that the same be adopted in lieu of the original bill.

J. E. Collins
Chairman.

Mr. President:

Your Committee on Judiciary to whom was referred, C. B. No. 14 have considered the same, and beg leave to report it back with the

Continued.)

Following amendments, viz:

Amend Section 1 line 2
by striking out the words "or embezzle";
also in line 9 Section one by striking out
the words "or embezzlement".

Also in line 12 Section 1 by striking out
the words "or embezzlement".

Also in line 3 Section 2 by striking out
the words "or embezzled".

Also in line 5 Section 2 by striking
out the words "or embezzled". And in line
ten Section 2 the words "or embezzled".

And as so amended, we recommend
that it do pass.

T. E. Collins
Chairman

Mr. President;

Your Committee
on Towns and Counties to which was
referred C. B. No. 4, requiring the publication
of certain matters, beg leave to report the
Bill back with the following amendment.

In line 2 of Section 4 for the
word "treasurer" substitute the word
"Clerk".

And as amended the Committee
would recommend that the bill do
pass.

Cardwell
Chairman,

Mr. President;

Your Committee
on Towns and Counties to whom, was
referred H. B. No. 3 have had the same
under consideration, and report the Bill
back with amendment. And as so
amended recommend that it do pass.

Cardwell
Chairman,

H. B. No. 10 was placed on file for
third reading.

The Substitute reported by
Committee on Judiciary for H. B.
(No. 1) was read first and second times
and referred to Committee on Printing.

Council Journal Eighteenth Day.

On motion of Kennedy,

The amendments to C. B. (No. 14) as reported by the Committee on Judiciary were adopted; and the bill and amendments placed on general orders.

On motion of Kennedy,

The amendments to C. B. No. 4 as reported by Committee on Towns and Counties, were adopted; and the bill and amendments were referred to Committee on Engraving.

On motion of Cardwell,

The amendments to H. B. No. 3 as reported by Committee on Towns and Counties, were adopted; and the bill and amendments placed on general orders.

Bills were introduced as follows:

By Kennedy,

C. B. (No. 21) An act to provide for a Judicial Board of Arbitration for the settlement of differences between employers and their employees"

Read first and second times and referred to Committee on Printing.

By Sutherland,

C. B. (No. 22) "A bill for an act to encourage tree planting and arboriculture in Montana."

Read first and second times and referred to Committee on Printing.

The following communication was received from the Governor.

Territory of Montana

Executive Department.

Helena Jan. 26 1887

To the Council,

Gentlemen,

I have the honor to inform you that I have this day.

Continued

approved Council Joint Resolution No. 2, "For the relief of Geo. Bashaw, J. W. McFarland and John O'Neill."

Very Respectfully

S. P. Hauser
Governor.

House of Representatives

Helena

Mont.

January 26th 1887

Mr. President,

I am directed by the House to inform your Honorable body, That,

Notices of the introduction of bills were given as follows:

By Brown, "A bill to amend Section 5 of an act concerning fences" approved March 10th 1886.

By Blake, "An act concerning the limits of religious corporations."

Also,

"A bill for an act to establish a Territorial Board of Education"

Also,

"An act to build a Territorial Penitentiary."

By Thompson, "A bill for an act concerning licenses."

No. J. M. No. 6, has passed the House and the same is herewith transmitted.

David Marks

Chief Clerk

No. J. M. No. 6 was read first and second times and on motion of Richards referred to Committee on Public Lands.

C. B. No. 10 was read the third time and passed by the following vote,
Ayes.

Batchelder	Cardwell	Collins
Holladay	Hendley	Kennedy
Parker	Richards	Sarkis
Thompson	Nature	Mr. President

Noes

None

Council Journal Eighteenth Day.

The Council resolved itself into Committee of the whole for the consideration of general orders.

Wendley in the Chair.

Council resumed.

Mr. President in the Chair.

Mr. President,

Your Committee of the whole have had under consideration H. J. M. No. 4, and the Chairman is instructed to Report the Bill back with recommendation that it do not pass.

Wendley, Chairman.

On motion of Smith, the Council took a recess until 2 P. M.

Council resumed.

Mr. President in the Chair.

Roll called.

Quorum present.

By unanimous consent, the following Report was received
Mr. President;

Your Committee on Indian Affairs to which was referred the communication of the Governor, with petition attached in regard to the condition of certain Indians on Willow Creek, in the vicinity of San River, beg leave to report that it has had the same under consideration, and that in its judgment immediate aid is required and therefore recommends that a joint Resolution appropriating Five Hundred Dollars or so much thereof as may be necessary for their relief and recompense be adopted.

J. J. Thompson
Chairman.

On motion of Kennedy, the rules were suspended, C. J. R. No. 4, "for the relief of certain Cree Indians" was read the first and second times, considered Engrossed. The rules were suspended, and the Resolution, read.

Continued

read the third time and passed by the following vote.

Ayes.	Batchelder	Cardwell	
	Holliday	Hennelley	Kennedy
	Pardee	Rickards	Sutcliffe
	Thompson	Waters	Mr. President
Noes	Stone		11
Absent	Collins		0

Pitts agreed to. The Council resolved itself into Committee of the whole. Hennelley in the Chair.

Council resumed.

Mr. President in the Chair.

Roll called. Quorum present.

On motion of Kennedy, the rules were suspended, and the following communication was received.

House of Representatives
 Helena M.T. January 27th 1887
 Mr. President, I am directed by the House, to inform your Honorable Body.

That, C. J. R. No. 4 under a suspension of the rules, has passed the House and the same is herewith transmitted.

David Mark
 Chief Clerk.

On motion of Kennedy, C. J. R. No. 4 was referred to the Committee on Enrollment.

The Council resolved itself into Committee of whole for the consideration of general orders. Hennelley in the Chair. Council resumed.

Mr. President in the Chair.

Roll called. Quorum present.

On motion of Kennedy, Council took a recess of ten minutes.

Council Journal Eighth Day.

Council resumed.

Mr. President in the Chair.

Roll called. Quorum present.

The following report was received.

Mr. President,

Your Committee in Enrollment to which was referred C. J. R. No. 4 "For the relief of certain Cree Indians" beg leave to report back the resolution as correctly enrolled.

Kennedy Chairman.

Mr. President, announced signing C. J. R. No. 4. No objection being made the Resolution was signed.

The following report was received.

Mr. President,

Your Committee of the whole, having under consideration, C. J. R. No. 14, beg leave to report the bill back, with the following amendments:

Section 1 line 1 strike out the first word "That". Section 1 4th line printed bill strike out all after the word "persons" and insert in lieu thereof, "who may be at such time supported or cared for at the expense of the County."

Section 2 line 1 (printed bill) by striking out the word "any of", and the words "of Section 1"

(Also,

Strike out all of Section 3.

In Section 4 strike out in line 1 (printed bill) the words, "That the provisions of Section 1 of"

Section 4, line 2, by striking out "or other person or persons."

Make Section 4 Section 3 and Section 5 Section 4. And we recommend that the bill do pass as amended.

H. Sandley Chairman.

(Continued.)

On motion of Collins, the amendments to H. B. No. 3, were adopted.

H. D. Arkwright Engraving and Enrolling Clerk was granted leave of absence, until Monday next.

On motion of Hurdley, the Council adjourned until tomorrow at 10 A. M.
 Ruben L. Davis
 Chief Clerk

Council Journal Nineteenth Day

Council Chamber
Hortona Mt. January 28th 1887

Council met at 10 A. M. pursuant to adjournment. Mr. President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.
Journal of eighteenth day read and approved.

The following petitions were presented.

By Rickards, Petition of citizens of South Butte, Silver Bow County, praying for enactment of laws prohibiting employment of women and children in public drinking resorts.

By Sutherland, Petition of citizens of Meagher County, on same subject. Ordinance filed, to be referred to appropriate Committee.

The following Reports were received.

Mr. President. Your enrolling Committee beg leave to report that C. J. R. No. 21 for the relief of certain Cree Indians was presented to the Governor for his approval at 4 P. M. January 27th 1887.
Kennedy Chairman.

Mr. President. Your Committee on Printing, beg leave to report that, C. B. No. 19 "An Act to amend an act for the compensation of Counsel in certain cases; and C. B. No. 18 "An Act in relation to fees of County Assessors."
"And C. B. No. 20" an act to amend Section 371 of the fifth division of the Revised Statutes," as formerly printed.
Cochran Chairman.

(Continued)

C. B. No. 19 and C. B. No. 20 were referred to Committee on Judiciary and C. B. No. 18 was referred to Committee on Ways and Means.

Notices of introduction of Memorial and bill were given as follows;

By Holliday:

A Joint Memorial asking Congress for a donation for the benefit of the National Park.

By Sutherland:

A bill for an act to provide compensation for Samuel Snider for the assessment of Meagher and Fergus Counties.

The following communication from the House was received:

House of Representatives

Walden Md, January 27th 1887

Mr. President: I am directed by the House to inform your Honorable body.

That:

Council amendments to H. B. No. 11, have been concurred in by the House.

Bills were introduced as follows:

By Blake: H. B. (No. 31) "A bill for an act concerning the trustees of religious corporations" Ordered printed.

By Hanson - H. B. (No. 32

"An Act to secure persons and animals from danger arising from mining and other excavations" Ordered printed.

Mr. Speaker, has signed H. B. No. 2.

David Marks

Chief Clerk.

H. J. M. No. 11 was read the third time and lost by the following vote.

Council Journal Nineteenth Day.

Ayes. Batetielder Kennedy 4
and Natus.

Nays. Collins Cardwell Holliday
Rickards Sutherland Thompson
and Mr. President 7

Absent Parker 1

C. B. No. 14 was referred
to Committee on Engrossment.

On motion of Kennedy,
The Council adjourned until to-
morrow at 10 A.M.

Reuben L. Davis
Chief clerk

Council Journal Twentieth Day.

Council Chamber

Helena Montana January 29th 1887

Council met at 10 A.M. pursuant to adjournment. Mr. President in the Chair.
Roll called Quorum present.
Prayer by the Chaplain.
Journal of nineteenth day read and approved.

The following reports were received.

Mr. President,

Your Committee on Engrossment to whom was referred, C. B. No. 14 "A bill for an act providing for the punishment of persons in the possession of stolen property in the Territory of Montana having stolen the same in some other Territory State or Country, and for the punishment of receivers of stolen property" beg leave to report the same correctly engrossed.
W. H. Colvick Chairman.

Mr. President;

Your Committee on Public Lands which has had under consideration No. J. M. No. 3 concerning the timber land of the Territory of Montana, beg leave to state that it would regard the passage of an Act by which the settlers of this Territory would be permitted to appropriate the growing timber of this Territory to their use and benefit, one of the most important measures to which Congress could devote its time. Your Committee does not however acquiesce in the recommendation for the passage of a law for the sale of Public timber lands.

It believes a law for the payment of a stumpage tax would be the more equitable and prove most satisfactory both to the settler and the Government. It is therefore recommended that all that portion of laws 32, 33 and 34

Council Journal Twentieth Day.

relating to the passage of a law for the
sale of the Public Timber lands, "be
stricken out, and the word" for the
inserted in lieu thereof, and as an
amendment, that the Memorial do pass.
G. L. Batchelder
Chairman.

Mr. President:

Your Committee on
Engrossment to whom was referred,
C. B. No. 4, "Requiring the publication of
certain matters," beg leave to report
that it has examined the same and find
it correctly engrossed.

Holliday Chairman.

Mr. President:

Your Committee to
whom was referred Council amendments
to H. B. No. 3 entitled "An act concerning
the sale of intoxicating liquors to the
indigent poor" beg leave to report that they
have examined the same, and find them
correctly Engrossed.

Holliday Chairman.

C. B. No. 14, C. B. No. 4 and
H. B. No. 3 were placed on file for
third reading, and H. J. M. No. 3 was
placed on general order.

Notices of introduction of bills were
given as follows:

By Rickards:

"A bill for an act
relating to the care and protection of children."

By Subutin:

"A bill for an act to
punish persons for making fraudulent
pedigrees of live stock, and for other purposes,
relating thereto."

Rickards introduced C. B.
No. 23 "An act to punish seduction."
Read first and second times and
referred to Committee on Printing.
H. B. No. 3 was read the
third time and passed as amended by

(Continued)

the following vote.

Ayes.	Batchelder	Collins	Cardwell
	Holladay	Pardee	Rickards
	Sutherland	Thompson and	

Mr. President,

Noes	Hendley,	Kennedy and Waters.	9
	Tute agreed to,		3

Mr. President.

announced signing H. B. No. 2.

H. B. No. 11 and H. J. M. No. 2.

No objection being made, they were accordingly signed.

The following communication was received:

House of Representatives

Wash D.C. January 28th 1887

Mr. President:

I am directed by the House to inform your Honorable body, That,

H. B. No. 7 has been laid on the table.

Notice of the introduction of bills have been given as follows:

By Harwood:—

"A bill for an act to amend Sections one and two of an act entitled an act to amend an act concerning chattel mortgages, approved February 19th 1881." "approved February 27th 1885".

By Manscom,

"A bill to provide for the payment of stock killed or injured by railroads."

By Page

"A bill for an act to prohibit the retailing of intoxicating liquors on Sunday."

By Karprouse

"An act concerning a jail in Meagher County."

Bills were introduced as follows:—

Council Journal Twentieth Day.

By Toole, H. B. No. 33. "An act to amend Section 801 of the Fifth Division, of the Revised Statutes of Montana." Ordered printed.

By Gorham, H. B. No. 34. "An act to amend an act relative to killing certain animals."

Ordered printed.

Alderson introduced H. B. No. 7. Memorializing Congress, so appropriate money for the building of a wagon road from Chinabur to Cooke City Montana.

Mr. Speaker has signed H. B. No. 11 and H. B. No. 2.

H. B. No. 15 has passed the House and the same is herewith transmitted.

David Marks.

Chief Clerk.

H. B. No. 15 was read first and second times, and on motion of Collins the rules were suspended, the bill was read the third time by its title, and placed on its final passage. The yeas and nays were taken by the following vote.

Ayers	Batchelder	Cardwell	Collins
Holliday	Hornelley	Kennedy	
Parson	Rickard	Sutherland	
Thompson	Waters and		

Mr. President

12

Noes

(None)

0

Title agreed to.

Leave being granted, the following Report was received:

Mr. President:

Your Committee on Ways and Means to whom was referred H. R. No. 1 "Providing for the payment of printing etc. not provided for by the General Government" beg leave to report the same back with the following amendments. On line 20 before

1 Continued

the word "Treasury" to insert the word "territorial". (And in line 34 before the word auditor, to insert the word "territorial"; and would recommend its passage as amended.

J. K. Parker, Chairman.

No. J. R. No. 1 was placed on general order.

C. B. No. 14 was read the third time, and passed as amended by the following vote.

Ayes.	Batchelder	Collins	Cardwell
	Holladay	Hendley	Kennedy
	Parker	Richards	Sutherland
	Thompson	Waters	and
	Mr. President		12

Noes
None

Putted agreed to.

C. B. No. 4 was read the third time and passed as amended by the following vote:

Ayes	Batchelder	Cardwell	Collins
	Holladay	Hendley	Kennedy
	Parker	Richards	Sutherland
	Thompson	Waters	and
	Mr. President		12

Noes
None

Putted agreed to.

The Council resolved itself into Committee of the whole, for the consideration of general orders, Collins in the Chair Council resumed.

Mr. President in the Chair.

The following report was received.

Mr. President:

The Committee of the whole have considered No. J. R. No. 3 and No. J. R. No. 1, and have instructed the chairman to report, that No. J. R. No. 3 be amended as recommended by the Committee on Public lands, and be amended that it do pass.

And that No. J. R. No. 1 be passed.

Council Journal Twentieth Day,
as amended by the Committee on
Ways and Means
D. B. Collins
Chairman.

On motion of Collins the
amendments to H. J. R. No. 1 were
adopted and referred to Committee on
Engrossment.

On motion of Batchelder, the
amendments to H. J. M. No. 3 were
adopted, and referred to Committee on
Engrossment.

On motion of Kennedy, the
Council took a recess of ten minutes;
Council resumed.

Mr. President in the Chair.
Roll called Quorum present.

The following report was
received:

Mr. President,

Your Committee
on Engrossment to whom was referred
H. J. R. No. 1 "Providing for the payment
of printing etc. not provided for by the
General Government, beg leave to Report
that the amendments to same are
properly engrossed.

Holladay Chairman.

On motion of Pender the
rules were suspended, and H. J. R.
No. 1 was placed upon its final passage.

The Resolution passed as amended, by the following
vote.

4 yes	Batchelder	Barclay	Collins	
	Holladay	Kennedy	Pender	
	Rickards	Thompson	Waters	
	and Mr. President.			10
Noes	Kennedy	Sutherland		2

Title agreed to.

On motion of Collins, the Council
adjourned until Monday next at 10 A. M.
Richard Davis
Chief Clerk

Council Journal Twenty Second day.

Council Chamber

Helena Mt. January 31st 1887

Council met pursuant to adjournment at 10 A.M.

Mr. President in the Chair.

Roll called

Quorum present.

Prayer by the Chaplain.

Journal of twentieth day read and approved.

Petitions were presented as follows.

By Hurdley, Petition of citizens of Sun River, for law prohibiting employment of women, and minors in public drinking resorts.

By Mr. President; Petition of citizens of Madison County for law giving bounty for killing ground squirrels.

By Sutherland, Petition of citizens of Meagher County for relief of Samuel Snyder.

Ordered filed to be referred to appropriate Committee.

The following communication from the Governor was received.

Territory of Montana.

Executive Department

Helena. January 27th 1887

To the Council

Gentlemen,

I have the honor to inform you that I have this day approved Council Joint Resolution No. 4 "For relief of certain Cree Indians."

Very Respectfully

J. J. Meagher

Governor.

Council Journal Twenty Second Day.

The following Reports were received.
Mr. President,

Your Committee on Engraving to whom was referred H. J. M. No. 3 "Concerning the timber lands of the United States within the Territory of Montana," beg leave to report, they have examined the amendments to said and find them correctly engrossed.

J. H. Holiday

Chairman.

Mr. President,

Your Committee on Towns and Counties to whom was referred C. B. No. 5 "A Bill for an act providing for the transfer of certain records relating to Towns of Butte City, have had the same under consideration, and report the bill back with amendments, and as amended, recommend that it do pass.

Cardwell

Chairman.

Mr. President,

Your Committee on Ways and Means, beg leave to state that until they receive a copy of the Territorial Auditor's report they are unable to intelligently consider any measures pertaining to the finances of the Territory.

J. K. Parker

Chairman

Mr. President,

Your Committee on Printing, beg leave to report that C. B. No. 21 "An act to provide for a Territorial Board of Arbitration for the settlement of differences between employers and their employees" And "C. B. No. 22 An act to encourage the planting and arboriculture in this Territory" as correctly printed.

Substantive

Chairman

H. J. M. No. 3 was placed on file for third reading

(Continued)

C. B. No. 8 was placed on general orders.

On motion of Kennedy, C. B. No. 21 was referred to Committee on Education and Labor.

On motion of Sutherland, C. B. No. 22 was referred to Committee on Judiciary.

Holladay introduced C. J. No. 1 "Asking for an appropriation for the Yellowstone National Park."

Read first and second times and referred to Committee on Federal Relations.

The following communication from the House was received.

House of Representatives

Helena Mt. January 29th 1887

Mr. President,

I am directed by the House to inform your Honorable body, That:

Notices of the introduction of bills were given as follows:

By Lacey "A bill to amend Section 172 of the Fourth Division of the Revised Statutes."

By Armstrong, "A bill to amend Section 804 of the code of civil procedure"

Also,

"A bill to repeal an act entitled an act concerning fees of jurors in civil cases" Approved February 21st 1881.

Also

"A bill to encourage the construction of canals in the Territory of Montana for irrigation and other useful purposes"

By Graham,

"An act concerning supervisors of Roads and Highways etc."

Bills were introduced as follows;

By Hansen. C. B. No. 35

Council Journal Twenty Second Day.

"A bill for an act for liens of mechanics and others" Ordered printed.
By Thompson H. B. No. 36 "A bill for an act concerning licenses."

By Muth: H. B. No. 37 "An act to amend an act limiting the compensation of certain officers named herein".

David Marks.

Chief Clerk.

H. J. M. No. 3. was read the third time, and lost by the following vote:

Ayes:	Batchelder	Holliday	Kennedy	4
	and Waters			
Noes	Cardwell	Collins	Hendley	
	Pardee	Sutherland	Thompson	
	and Mr. President			7
Absent	Rickards			1

On motion of Kennedy the consideration of general orders was passed for so day.

On motion of Collins, The Chief Clerk was instructed to request the Governor to forward the Reports of the Territorial Auditor and Treasurer, Librarian of Miscellaneous and Law Divisions of the Montana Library, and Contractors for keeping the Records of the Territory.

On motion of Collins: The rules were suspended and the House was requested to return H. B. No. 3 to the Council for further amendment.

On motion of Hendley, The Council adjourned until tomorrow at 10 A.M.

Allen L. Davis
Chief Clerk

Council Journal Twenty Third Day

Council Chamber
Helena Mt. February 1st 1887

Council met at 10 A.M. pursuant to adjournment.

Mr. President in the Chair

Roll called. Quorum present.

Prayer by the Chaplain.

Journal of Twenty Second day read and approved.

Richards, presented petition of residents of Silver Bow County, for law prohibiting employment of women and minors in public drinking resorts etc.

Ordered placed on file, to be referred to appropriate Committee.

The following Reports were received.

Mr. President,

Your Committee on Public Lands which has had under consideration H. J. M. No. 6 relating to the extension of the Public Survey, beg leave to return the same recommending its passage.
G. L. Batchelder.

Mr. President,

Your Committee on Printing beg leave to report Council Substitute to House Bill No. 1 an Act concerning the Crime of Rape as correctly printed.
Sutherland

Chairman.

Mr. President,

Your Committee on Federal Relations, to whom was referred C. J. M. No. 1 asking for an appropriation for the National Park, beg leave to report that we have had the same under consideration, and report it back with the recommendation that it do pass.

Kimbley Chairman

H. J. M. No. 6, the Council Substitute for H. B. No. 1 and C. J. M. No. 1 were placed on general orders.

Council Journal Twenty Third Day.

Waters gave notice of introduction of a bill entitled "An act to provide for the erection of a Territorial Prison, and the custody and labor of Territorial prisoners"

Waters offered the following Resolution:

Be it resolved by the Legislative Council, the House concurring

That a Joint Committee of two from the Council and a like number from the House be appointed to investigate the books and accounts of the Territorial Auditor and Treasurer, and that said Committee have the power to employ competent expert to examine the same.

On motion of Collins the Resolution was adopted, and in conformity thereto, Mr. President, appointed Waters and Thompson to act in the name of the Council.

The following communication from the House was received.

House of Representatives
Helena MT. January 31st 1884
Mr. President

I am directed by the House to transmit to your Honorable body H. B. No. 3 as per your request.

David Marks
Chief Clerk.

On motion of Collins the vote by which H. B. No. 3 passed the Council was reconsidered.

On motion of Parker the rules were suspended in order to allow the bill to be considered instantly.

On motion of Handley, H. B. No. 3, was amended by inserting in line 3 of the engrossed bill after the words "persons" the word "knowingly," and was referred to Committee on Engrossment.

The following communication from the House was received.

(Continued)

House of Representatives Helena MT. Feb 1st 1889

Mr. President:

I am directed by the House to inform your Honorable body; That,

Bills were introduced as follows:

By Gorham, H. B. No. 38 "An act concerning Supervisors of Roads and Highways" Ordered printed

By Page, H. B. No. 39, "A bill for an act to prohibit the retailing of intoxicating liquors on Sunday." Ordered printed

C. B. No. 3 and H. B. No. 27 have passed the House and are herewith transmitted

David Marks,

Chief Clerk.

C. B. No. 3 was referred to the Committee on Enrollment.

H. B. No. 27 was read first and second times and referred to the Committee on Education and Labor.

The Council resolved itself into Committee of the whole for the consideration of general orders. Waters in the Chair.

Council resumed,

Mr. President in the Chair.

By unanimous consent, the rules were suspended, and the following Report was received.

Mr. President - Four Committees on Incorporations to whom was referred C. B. No. 16, relating to Banks and Banking, respectfully report they have had the same under consideration and recommend that amendments hereto attached be incorporated into the Bill by the Engrossment Clerk, and afterwards referred to Committee on Printing.

Rickards Chairman.

(On motion of Kennedy, the Bill and amendments were referred to the Committee on Engrossment.

The following communication was received.

Council Journal Twenty Third Day,
Territory of Montana.

Executive Department
Helena Feb. 11th 1887

To the Council

Gentlemen,

I beg to
submit herewith, a copy of the report of
the Auditor and Treasurer of the Territory
of Montana, for the fiscal year 1886
Very Respectfully
J. M. Hauser
Governor.

The following Report was received.
Mr. President,

The Committee of the whole
having considered the bills hereinafter
mentioned, respectfully report, the same back
and recommend as follows:

That the amendments to C. B.
No. 5 "A bill for an act providing for the
transfer of certain records relating to the
Town site of Butte City" as reported by the
Committee on Town and Counties, be
adopted, and that the bill as amended
do pass.

That H. J. M. No. 6 "Relating to the
extension of the Public Schools do pass.

That Council Substitute for H. B.
No. 1, be amended by striking out the word
"fourteen" in line 10. (line 3 of printed bill)
and inserting in lieu thereof the word
"fifteen", and that the bill as amended
do pass.

E. C. Waters

Chairman.

(On motion of Collins, the
Council adjourned until to morrow
at 10 o'clock A.M.

Reuben L. Davis...
Chief Clerk

Council Journal Twenty Fourth day
 Council Chamber
 Helena, Montana
 February 2^d 1887

Council met at 10 A.M. pursuant to adjournment.

Mr. President in the Chair.
 Roll called. Quorum present.

Prayer by the Chaplain.
 Journal of twenty third day read and approved.

The following Reports were received.

Mr. President,

Your Committee on Education and Labor to whom was referred H. B. No. 10 respectfully report they have had the same under consideration and recommend that with amendments as hereto attached it do pass.

J. E. Rickards,

Amendments to H. B. No. 10; In Section 3- 4th line after the word "Person" insert words "Corporation, Association, Copartnership, or Chartered Company."

Section 5, to be stricken out, as in our judgment it would nullify the entire act.

Mr. President,

Your Committee on Education and Labor, to whom was referred H. B. No. 27, respectfully report that they have had the same under consideration and recommend that with amendments, as hereto attached, it do pass.

Amendments to H. B. No. 27
 In Section 2- 3rd line after the word "shall" insert the words "upon conviction thereof". As thus amended it would read "Shall upon conviction thereof be adjudged guilty" etc.

Council Journal Twenty-Fourth Day.

Section 2 line 11 strike out the word "Thereafter" and insert in lieu thereof the following "For subsequent violations of this act shall upon conviction thereof be fined."

Strike out Section 3 entirely, already covered by statutes.

J. E. Rickards
Chairman

Mr. President,

Your Committee on Incorporations to whom was referred C. B. No. 6 after due consideration, instructed me to report it back without recommendation.

J. E. Rickards
Chairman.

Mr. President.

Your Committee on Engrossment to whom was referred H. B. No. 3, "An act concerning the sale of intoxicating liquors to the indigent poor," beg leave to report that they have examined the same and find it correctly engrossed.

Holladay
Chairman.

Mr. President.

Your Judiciary Committee have considered C. B. No. 20 "An act to amend Section 371 of the 5th Division of the Revised Statutes," and report it back recommending that it pass with the following amendments.

In and after the word "School" line 10 written vice, the words "Road and Poor," and strike out all after the word "Counties" at end of line 16 written vice.

P. E. Collins

Chairman

(Continued)

Mr. President,

Your Judiciary Committee have duly considered, C. B. No. 19, a bill for an act to amend an act to provide for the compensation of counsel in certain criminal cases, approved February 23rd 1881, and ask to report the same back with the recommendation that it do not pass.

P. E. Collins
Chairman.

Mr. President,

Your Judiciary Committee have considered C. B. No. 7 "An act concerning the Montana library and return the same recommending that it do pass.

P. E. Collins
Chairman.

H. B. No. 10, H. B. No. 3, H. B. No. 24,
C. B. No. 6, C. B. No. 20, C. B. No. 19 and
C. B. No. 7 were placed on general orders.
Bills were introduced as follows.

By Rickards: C. B. No. 24 "A bill for an act relating to the protection, employment and adoption of children."

Read first and second times and referred to Committee on Printing.

By Waters: C. B. (No. 25) "A bill for an act to provide for the erection of a Penitential prison, and the custody and labor of Penitential prisoners."

Also a proposition of John R. King and Thomas S. Ash to contract for the same.

The bill was read first and second times and with the proposition accompanying the same, referred to the Committee on Printing.

Mr. President announced signing H. B. No. 1 and H. B. No. 15.

Intention introduced C. B. No. 26 "A bill for an act to provide compensation for the assessment of Meagher and Fergus Counties."

Council Journal "Twenty Fourth Day"

Read first and second times and referred to Committee on Towns and Counties.

The following communication from the House was received.

House of Representatives

Helena M.T. Feby. 1st 1887

Mr. President:

I am directed by the House to inform your Honorable Body That:

Notices of bills were given as follows:

By Scobey: "A bill to repeal Section 2 of an act entitled an act concerning fences", approved March 10th 1885. Also a bill "for an act for the taxation of the gross earnings of mines"

By Taylor: "A bill to amend Section 380 Article 2 fifth Division of the revised Statutes of Montana"

Bills were introduced as follows:

By Burkett: H. B. (No. 40) "An act to provide for the establishment of Independent Graded School Districts."

By Harwood: H. B. (No. 41) "An act concerning Chattel Mortgages."

Very Respectfully

David Marks.

Chief Clerk.

The following communication from the Governor, and accompanying reports were received.

Territory of Montana

Executive Department

Helena Feby. 1st 1887

To the Council,

Gentlemen,

I beg to submit herewith the following reports, as requested in communication of this date:

1. Report of the Trustees of the Law Division of the Montana Library.
2. Report of Contractor for the Care, Maintenance, and Medication of the indigent,

(Continued)

insane of Montana Territory.

Very respectfully

S. J. Hauser
Governor.

The Report of the Trustees of the Law Division of the Montana Library was read and on motion of Richards referred to Committee on Judiciary.

The Report of the Contractor for the care maintenance and medication of the indigent insane of the Territory of Montana was read and on motion of Kennedy, referred to Committee on Ways and Means.

The following communications from the Governor were received, and referred to Committee on Ways and Means.

The Territory of Montana
Governor's Office
Helena February 2^d 1887

To the Council

Gentlemen,

I have the honor to inform you that I hereby nominate, and with your consent and advice, will appoint and commission James Sullivan of Lewis and Clarke County to be Territorial Auditor, from the expiration of the term of the present incumbent.

Very respectfully

S. J. Hauser

Governor.

The Territory of Montana
Governor's Office

Helena February 2^d 1887

To the Council

Gentlemen,

I have the honor to inform you, that I hereby nominate, and with your consent and advice, will appoint and commission William C. Pratt of Lewis and Clarke County, to be Territorial Treasurer from the expiration of the term of the present incumbent.

Council Journal Twenty Fourth Day.

Very respectfully
S. J. Hauser
Governor

H. B. No. 3 was read the third time and passed as amended by the following vote.

Ayes	Batchelder	Cardwell	Collins	
	Holladay	Gundley	Pardee	
	Rickards	Sutherland	Thompson	
	and Mr. President			10
Noes	Kennedy	Waters		2

Pitts agreed to.

On motion of Kennedy the amendments to H. B. No. 5 reported by Committee of the whole were adopted, and the bill referred to the Committee on Engrossment.

H. J. M. No. 6 was placed on file for third reading.

On motion of Rickards the amendment to the Council Substitute for H. B. No. 1 as reported by Committee of the whole, was adopted by the following vote.

Ayes	Batchelder	Holladay	Gundley	
	Pardee	Rickards	Sutherland	
	Waters and Mr. President			8
Noes	Collins	Cardwell	Kennedy	
	and Thompson,			4

H. B. No. 1 was referred to the Committee on Engrossment.

The Council resolved itself into Committee of the whole.

Collins in the Chair.

Council resumed.

Mr. President in the Chair.

Collins from Committee of the whole reported progress and asked leave to sit again. which was granted.

On motion of Kennedy the Council adjourned until to-morrow at 10 A. M.

William L. Lewis
Chief Clerk

Council Journal Twenty Fifth day
 Council Chamber
 Helena Montana
 February 3rd 1887

Council met at 10 A. M. pursuant to adjournment. Mr President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.
 Journal of the twenty fourth day, read and approved.

The following Reports were received.
 Mr. President,

Your Committee on Enroll-
 ment, to which was referred C. B. No. 3,
 amending the Probate Practice Act, begs leave
 to report the bill back as correctly enrolled.

Randy Chairman.

Mr. President,

I am instructed by the
 Committee of the whole to report that
 the bills etc hereinafter mentioned having
 been considered, the Committee report the
 same back and recommend as follows:

That C. J. M. No. 1 "Asking for an
 appropriation for the Yellowstone National Park"
 be amended by striking out after the word
 "your" in line 2 of page 2 the word "most"
 and that as amended, the Memorial do
 pass.

That C. B. No. 19 "A bill to amend
 an Act to provide for counsel in certain
 Criminal Cases passed February 23rd 1881"
 do not pass.

That H. B. No. 10 "An act to protect
 the wages of wage worker" be amended as
 recommended by the Committee on Education
 and Labor, and that as amended the bill do
 pass.

The Committee had under consideration
 H. B. No. 27, when the Committee reported
 progress and asked leave to sit again

P. E. Cocaine

Chairman

Council Journal Twenty Fifth Day.

Mr. President,

Your Committee on Judiciary to which was referred H. B. No. 5 beg leave to report the same back with the amendments annexed thereto, and does recommend that the same be amended as follows.

P. E. Collins

Chairman.

Mr. President,

Your Committee on Engrossment to whom was referred C. B. No. 5 "providing for the transfer of certain Records relating to the townsite of Butte City," C. B. No. 16 "An act concerning banks and banking," Council Substitute for H. B. No. 1 "Concerning the Crime of Rape," beg leave to report, they have examined the same, and find them correctly engrossed.

W. C. H. H. H.

Chairman.

On motion of Kennedy, The amendment to C. B. No. 1 was adopted, and the memorial referred to the Committee on Engrossment.

C. B. No. 19 was placed in file for third reading.

On motion of Collins, the amendments to H. B. No. 10, were adopted and referred to Committee on Engrossment.

H. B. No. 5 was placed in general orders.

C. B. No. 16 was referred to Committee on Printing.

C. B. No. 5 and Council Substitute for H. B. No. 1 were placed in file for third reading.

Notice of introduction of bill and Joint Resolutions were given as follows.

By Collins "A bill to amend Section 1081 of the Revised Statutes of Montana relating to Revenue"

By Institution "A Joint Resolution relating to the publication of the"

(Continued)

Governor's Message.

The following communication from the House was received.

House of Representatives

Helena M.T. Feb'y 2^d 1887

Mr. President,

I am directed by the House to inform your Honorable Body, That,

Paylor gave notice of "an act to prevent same to run at large between the first day of August and the first day of December." Also "An act to prevent the abandonment of ship."

Bills were introduced as follows:

By Committee on Elections, H. B. No. 42 "A bill for an act relating to elections."

Ordered printed.

By Brown: H. B. No. 43 "A bill for an act to amend an act, entitled an act concerning fences", approved March 10th 1885"

Ordered printed.

By Paylor: H. B. No. 44 "An act to amend Section 386, Article 2^d Fifth Division of the Revised Statutes of Montana Territory."

Mr. Speaker has signed H. B. No. 13 and H. J. R. No. 1

The House has amended Council Concurrent Resolution relative to the Examination of the books of the Auditor and Treasurer by making the same read "That a Committee of two from the Council and three from the House" instead of a like number from the House as in the original resolution. The resolution as amended was adopted.

David Mark

Chief Clerk

The Council Substitute for H. B. No. 1 was read the third time, and passed by the following vote:

Ayer	Batchelder	Cardwell	Collins
	Holladay	Hunsley	Kennedy
	Parker	Pickard	Sutherland

Council Journal Twenty Fifth Day.

Thompson Waters
and Mr. President. 12
Ayes 0
Noes 0

It is agreed so.
C. B. No. 19 was read the third
time and lost by the following
vote.

Ayes 2
Noes 0
Munday and Kennedy
Batchelder Cardwell Collins
Holladay Pardee Richards
Sutherland Thompson Waters
and Mr. President 10

C. B. No. 5 was read the third time
and passed by the following votes:

Ayes 12
Noes 0
Batchelder, Cardwell Collins
Holladay Munday Kennedy
Pardee Richards Sutherland
Thompson Waters and
Mr. President.

Ayes 12
Noes 0

It is agreed so.

The Council resolved itself into
Committee of the whole for the consideration
of general orders. Kennedy in the
Chair.

Council resumed.

Mr. President in the Chair.

Kennedy, chairman of
Committee of the whole, reported that
No. B. No. 27 and C. B. No. 20 had been
considered by the Committee and was
granted time to prepare report.

On motion of Collins,
the Council adjourned until to
morrow at 10 A. M.

Reuben L. Davis
Chief Clerk

Council Journal Twenty Fifth Day
 Council Chamber
 Helena Montana
 Feb 4th 1887

Council met at 10 A. M.
 pursuant to adjournment.
 Mr. President in the Chair.
 Roll called. Quorum present.
 Prayer by the Chaplain.
 Journal of twenty fifth
 day read and approved.
 The following reports
 were received.

Mr. President,
 Your Committee
 of the whole to which was referred
 H. B. No. 20, to amend Section 371
 of the Fifth Division of the Revised
 Statutes, beg leave to report it back
 with the recommendation that it do
 pass as amended by the Judiciary
 Committee.
 Kennedy Chairman.

Mr. President,
 Your Committee of the
 whole has had under consideration
 H. B. 27 "A bill to regulate gambling," and
 beg leave to report it back, together with
 a substitute proposed in Committee by
 Mr. Kennedy with the recommendation
 that they be referred to a Special Committee
 of three for amendment, or the preparation
 of a substitute.
 Kennedy Chairman.

Mr. President,
 Your Committee to whom
 was referred C. J. M. (No. 1), asking for
 an appropriation for the Yellowstone
 National Park and amendments to H. B.
 No. 10, "An act to protect the wage of wage
 workers," beg leave to report we have
 examined the same and report them correct.
 Holliday Chairman.

Council Journal Twenty Sixth Day.

On motion of Kennedy,
The amendments to C. B. No. 10 were
adopted, and the bill and amendments
referred to Committee on Engraving.

On motion of Kennedy,
The recommendations of the Committee
of the whole in regard to C. B. No. 27
were adopted, and the bill was
referred to Select Committee consisting
of Parker, Richards and Thompson.
C. J. M. No. 1 and C. B.
No. 10 were placed in file for third
reading.

The following communication
from the Governor was received and
referred to the Committee on Education
and Labor.

Territory of Montana
Executive Department
Helena Feb 4th 1887

To The Council
Gentlemen,

I have the
honor to inform you that I hereby nominate,
and with your consent and advice,
vice appoint and commission Arthur
C. Logan of Butte County to be
Superintendent of Public Instruction
from the expiration of the term of the
present incumbent.

Very respectfully
G. T. Healer
Governor.

The following communication
and accompanying Joint Resolution were
received and referred to Committee on
Grazing and Stock Raising.

Territory of Montana
Governor's Office
Helena February 5th 1887

To the Council and House of Representatives.
Gentlemen,
I beg to submit herewith,
a copy of a Joint Resolution of the

(Continued)

Legislative Assembly of Dakota Territory,
"Authorizing the appointment of a
Committee to confer with the Authorities
of Montana in relation to measures for
the prevention and suppression of contagious
disease among live stock."

To which I earnestly invite your
immediate attention

Very respectfully

L. P. Hauser
Governor.

Introduction introduced by J. R. No.
5 "Providing for printing of the Governor's
Message" and other documents."

Read first and second times and
referred to Committee on Ways and Means.

The following communication
from the House was received.

House of Representatives

Helena M.T. February 3rd 1887

Mr. President:

I am directed by the
House to inform your Honorable body
That

Notices of the introduction of bills
were given as follows:

By Harwood: "A bill for an act
to amend Section 12 of "an act entitled
an act limiting the compensation of
certain officers herein named." Approved
March 12th 1885.

By Armstrong: "A bill concerning
fee and salary of District, County and
Township officers."

Bills were introduced as follows:

By Armstrong. H. B. No. 45 "An act
concerning the fees of jurors in Civil
cases. (Approved Feb 21 1887)"

By Taylor H. B. No. 46 "An act to
prevent game to run at large between
the first day of August and the first
day of December" (Also.

H. B. No. 47 "An
Act to prevent the abandonment of sheep."

Council Journal Twenty Sixth Day.

No. Bills No. 45 ~~and~~ 47 were ordered printed.

C. J. R. No. 3 and Co. B. No. 9 were read a third time and lost and they are herewith transmitted.
David Mark.
Chief Clerk.

The following report was received.

Mr. President:

Your Committee on printing begs leave to report C. B. No. 23 "A bill for an act to furnish seduction" as correctly printed.

Justin
Chairman.

On motion of Kennedy, C. B. No. 23 was referred to Committee on Judiciary.

H. J. M. No. 6 was read the third time and passed by the following vote:

Ayes	Batchelder,	Candwell,	Collins
	Holladay	Hendley	Kennedy
	Parad	Rickards	Justin
	Thompson	Waters	and

Mr. President

12

(None)

(None)

0

Yeto agreed to.

C. J. M. No. 1 was read the third time and on motion of Kennedy, referred to Committee on Federal Relations for further amendment.

H. B. (No. 10) was read the third time and passed as amended by the following vote:

Ayes	Batchelder	Candwell	Collins
	Holladay	Hendley	Kennedy
	Parad	Rickards	Justin
	Thompson	Waters	and

Mr. President.

12

(None)

(None)

0

Yeto agreed to.

The Council resolved itself into Committee of the whole for the

Continued)

consideration of general orders, Parade
in the Chair

Council resumed.

Mr. President in the Chair.

The following Report was
received.

Mr. President:

Your Committee
of the whole respectfully report that they
have considered H. B. No. 7 "An act
concerning the Montana Library" and
recommended that the bill together with
the report of the Law Librarian, be
referred to the joint Committee of the
Council and House on the same
subject.

J. K. Pardee
Chairman.

On motion of Kennedy,

The recommendation of the Committee
of the whole was adopted: and the bill
referred to joint Committee of the Council
and House, appointed to investigate the
condition of the library.

On motion of Kennedy,

The Council concurred in the
House amendment to Council
Concurrent Resolution relative to the
examination of the books of the Territorial
Auditor and Treasurer.

On motion of Thompson,
the Council adjourned until to-
morrow at 10 A. M.

Ruben J. Davis
Chief Clerk

Council Journal Twenty Seventh Day
 Council Chamber
 Helena Montana
 February 27th 1887

Council met at 10 A. M.
 pursuant to adjournment.
 Mr. President in the Chair.
 Roll called. Quorum present.
 Prayer by the Chaplain.
 On motion of Kennedy,
 The Council adjourned until
 Monday next at 10 A. M.
 Ruben L. Davis
 Chief Clerk

Council Journal Twenty Ninth Day

Council Chamber

Helena Montana

February 7th 1887

Council met at 10 A.M.
pursuant to adjournment.

Mr. President in the Chair.
Roll Called. Quorum present.
Prayer by the Chaplain.

Journal of Twenty
sixth day and twenty seventh day read and
approved.

The following Reports were
received.

Mr. President:

Your Committee
on Education and Labor to whom
was referred the appointment by the
Governor of A. C. Logan for Supt. of Public
Instruction respectfully report: We have
made inquiry and counseled with
all whom we thought could give us
information touching his fitness for
the place and we recommend that
the appointment be confirmed.

J. E. Rickard
Chairman

Mr. President:

Your Committee
on Grazing and Stock Growing, to whom
was referred the nomination of
Herbert Holloway for the office of
Territorial Veterinary Surgeon, beg leave
to report: That while this Diploma
does not strictly comply with the letter
of the law yet it is advised by
excellent attorneys that it is in
substance in conformity therewith,
and having the endorsement of many
leading stock growers, the Committee
feel unwilling to longer delay, and
therefore recommend his confirmation.

Hurdley
Chairman.

Council Journal Twenty Ninth Day.

Mr. President:

Your Committee on Ways and Means have had under consideration the nomination of William C. Pruitt, by the Governor, for the office of Territorial Treasurer, and the majority of your Committee respectfully report recommending that he be confirmed.

Waters
Collins.

Mr. President:

Your Committee to whom was referred C. B. No. 20 "A Bill for an act to amend Section 371 Fifth Division Revised Statutes of Montana" beg leave to report they have examined the same and find it correctly engrossed.

Holliday
Chairman.

Mr. President:

Your Committee on Grazing and Stock Growing to whom was referred Joint Resolution from the Legislature of Dakota to the Authorities of Montana, "Authorizing the appointment of a Committee to confer with the Authorities of Montana, in relation to the suppression of contagious diseases among Live Stock" beg leave to report:

That they have examined the same, and recommend that a like Committee be appointed by this Legislative Assembly, and that the accompanying resolution may be adopted.

Hendley
Chairman.

Mr. President:

Your Committee on Ways and Means, having had under consideration the nomination of James Sullivan, for "Territorial Auditor" beg leave to report recommending that he be confirmed.

J. K. Pardee
Chairman.

Continued

On motion of Sutherland, the following Resolution was adopted:
Resolved,

That the Governor be requested to transmit to this Council, such report or reports, as may have been, furnished to him by the Territorial Veterinary Surgeon and his assistants relating to contagious diseases among domestic animals, made under the Act of the Fourteenth Legislative Assembly,

Approved March 10th 1885; And such other documents as he may have in his possession, relating to the operations of the law to suppress and prevent the dissemination of contagious and infectious diseases among domestic animals and Texas cattle."

C. J. R. No. 6 "Authorizing the appointment of a Committee to confer with the authorities of Dakota in relation to measures for the prevention and suppression of contagious disease among live stock" reported this day by the Committee on Grazing and Stock Growing, was read first and second times.

On motion of Munday, the rules were suspended, the Resolution was considered Enrolled, The rules were suspended, the Resolution was read the third time, and passed by the following vote.

Ayes.	Batchelder	Cardwell	Collins	
	Munday	Haindley	Parley	
	Rickards	Sutherland	Thompson	
	Waters and Mr. President.			11
Noes.	(None)			0
	(Absent)	Kennedy		1

Pitto agreed to.

C. B. No. 20 was placed on file for third reading.

C. B. No. 27 was read first and second times and referred to Committee on Printing.

Council Journal Twenty Ninth Day

On motion of Waters, the report of the Committee on Education and Labor was taken up and the appointment of Arthur C. Logan as Territorial Superintendent of Public Instruction was confirmed by the following vote:

Ayes	Batchelder, Cardwell Collins Holladay Hurdley Pardee Rickards Sutherland Thompson Waters and Mr. President	11
Noes	None	0
Absent	Kennedy	1

On motion of Rickards, The Report of the Committee on Ways and Means, was taken up and the appointment by the Governor of James Sullivan for Territorial Auditor was confirmed by the following vote:

Ayes	Batchelder Cardwell Collins Holladay Hurdley Pardee Rickards Sutherland Thompson Waters and Mr. President	11
Noes	None	0
Absent	Kennedy	1

On motion of Cardwell the report of the majority of the Committee on Ways and Means upon the nomination of William G. Pruitt for Territorial Treasurer was taken up.

Pardee, Chairman of Committee on Ways and Means made a verbal minority report.

The appointment of William G. Pruitt as Territorial Treasurer was confirmed by the following vote:

Ayes	Batchelder Cardwell Collins Holladay Hurdley Rickards Sutherland Thompson Waters and Mr. President	10
Noes	Pardee	1
Absent	Kennedy	1

(Continued)

The Report of the Committee on Grazing and Stock Growing recommending the confirmation of the appointment of Herbert Halloway as Territorial Veterinary Surgeon, was taken up.

On motion of Thompson the appointment of Herbert Halloway, as Territorial Veterinary Surgeon was taken up.

On motion of Thompson the appointment of Herbert Halloway as Territorial Veterinary Surgeon was confirmed by the following vote.

Ayes	Batchelder	Collins	Cardwell	
	Holliday	Humalley	Pardee	
	Richardson	Thompson	Waters	
	and Mr. President			10
Noes	Lutheim			1
Absent	Kennedy			1

The following communication from the House was received.

House of Representatives
 Helena Ark. Feb'y 24th 1887
 Mr. President:

I am directed by the House to inform your Honorable body that,

Notices of the introduction of bills were given as follows:

By Harwood: "A bill for an act regulating appeals from orders granting new trials in the District Courts."

By Mantle: "A bill for an act concerning obscene literature"

Also, "A Joint Resolution for the relief of John L. Birdler."

Hansen, introduced H. B. No. 48. "An act to provide for the payment of stock killed or injured by railroads - Ordered printed."

I am further directed by the House to return to you a Substitute for H. B. No. 1.

Council Journal Twenty Ninth Day.

The original bill does not accompany the Substitute and the history on the Substitute is incomplete in as much as it does not show when it was adopted.

David Marks.
Chief Clerk.

House of Representatives

Helena M.T. Feb 5th 1887

Mr. President.

I am directed by the House to inform your Honorable Body,

That

The House refuse to concur and respectfully asks the Council to recede from the following amendments to H. B. No. 3.

"Section 1 line 1 strike out the first word 'that'.

Also Section 1 line 3, engrossed Bill, insert the word 'knowingly' after the word 'person'.

As to other Amendments, made by the Council to said bill, the House concurs. The bill is herewith transmitted.

Notices were given as follows:

By Blake "A bill for an act to compile and arrange the General Laws of the Territory of Montana in force at the commencement of the Fifteenth regular session of the Legislative Assembly on the tenth day of January A. D. 1887
Also,"

(A bill for an act concerning the payment of fines and costs in Criminal Cases."

By Muthi "A bill in relation to the property of non-resident minor heirs."

By Hawwood "A bill for an act to amend Section 10 of an act entitled an act to create the County of

(Continued)

Yellowstone and for the election of
Officers thereof" approved Feb'y 26th 1883.

Also,

"A bill for an act concerning the
penalty for the non-payment of taxes."

Harwood introduced H. B. No. 49.

"A bill for an act regulating appeals
from orders granting new trials in the
District Court" Ordered printed.

H. J. M. No. 7, H. B. No. 31 and
substitute for H. B. No. 13, have passed the
House and they are herewith transmitted.

David Marks,

Chief Clerk.

Intzuluin introduced H. B. No. 27

"A bill for an act to punish persons for
making fraudulent pedigrees of livestock."

Read first and second times and
referred to Committee on Printing.

On motion of Rickards,

The Council receded from the following
amendment to H. B. No. 3

"Section 1 line 1 strike out the first
word 'That'."

On motion of Collins, the
Council refused to recede from the
second amendment to said bill.

The House Substitute for
H. B. No. 13, was read first and second
times, and referred to Committee on
Education and Labor.

H. J. M. No. 7 was read first
and second times and referred to
Committee on Roads and Highways.

H. B. No. 31 was read first
and second times and referred to
Committee on Incorporations.

H. B. No. 20 was read the
third time and passed by the following
vote.

Ayes	Batchelder	Cardwell	Collins
	Holladay	Hamdley	Paray
	Rickards	Intzuluin	Thompson
	Waters and Mr. President		

Council Journal Twenty Ninth Day.

Wes None
Absent Kennedy
Titter agreed to. 0
1

The Council resolved itself into Committee of the whole for the consideration of general orders.

Pardee gave the Chair.

Council resumed.

Mr. President in the Chair.

Pardee from Committee of the whole, reported progress and the Committee were granted leave to sit again.

By unanimous consent the following Resolution was received.
Mr. President.

We offer the following resolution.

Whereas we have heard with sorrow and regret of the untimely death of one of the oldest and most respected citizens of Montana, Hon. Frank L. Worden of the town of Missoula, a former honored and useful member of the Legislative Council; and whereas, it is due his early and distinguished services as a pioneer of Montana, and as a member of the Territorial Legislature, that we do honor to his memory.

Therefore be it resolved by the Fifteenth Legislative Council, of the Territory of Montana;

That the President appoint a Committee of one member of the Legislative Council to attend the funeral of the deceased, and convey to the bereaved widow and family our condolences

P. J. Collins
J. K. Pardee.

Which was adopted by a unanimous vote, and Hon. Will Kennedy was appointed a Committee, in conformity therewith.

Pardee moved that as a

(Continued.)

token of respect for the deceased, the Council do now adjourn for the day. Which was carried, and the Council adjourned until to morrow at 10 A.M.

Reuben L. Davis
Chief Clerk

Council Journal Thirtieth Day.
 Council Chamber
 Helena Montana
 February 8th 1887.

Council met at 10 A. M.
 Pursuant to adjournment
 Mr. President in the Chair.
 Roll called. Quorum present.
 Prayer by the Chaplain.
 Journal of twenty ninth day read and
 approved.

On motion of Lutherin,
 The petition of tax payers of Meagher County
 for relief of Samuel Snyder, was referred
 to Committee on Towns and Counties.

Collins presented petition of
 citizens of Choteau County for law
 prohibiting women and minors, being
 employed in public drinking resorts etc.
 Received and ordered placed on file, to
 be referred to appropriate Committee.

The following Reports were
 received.

Mr. President:

Your Committee on Roads
 and Highways to whom was referred H.
 J. M. No. 7 beg leave to report back the
 Memorial with recommendation that it do
 pass. But would say that the history of the
 Memorial does not show that it has passed the
 House.

Holliday. Chairman

Mr. President:

Your Committee on Ways
 and Means to whom was referred H. J.
 R. No. 5 providing for printing of the
 Governor's Message and other documents,
 have had the same under consideration,
 and beg leave to report it back with the
 recommendation that it do pass.
 J. N. Under.
 Chairman.

(Continued)

Mr. President:

Your Committee on Federal Relations to whom was referred C. J. M. No. 1 "asking for an appropriation for the Yellowstone National Park" has again considered the same, and beg leave to report it back with recommendation that it be amended as follows:

Strike out in line 6 and 7 in second page the words "at once." In the end popular outcry will cause this to be done and also

Strike out of lines 8, 9, 10, 11, 12 - the words "Now there is a surplus of money in the National Treasury, and the money appropriated is paid out by the officer in charge directly to the laborer."

And as amended, your Committee recommend that it do pass -

Respectfully
Chairman -

The Chief Clerk was instructed to return H. J. M. No. 7 to the House for endorsement showing its passage by the House.

On motion of Kennedy,
The Amendments to H. J. M. No. 1 were adopted, and the Resolution as amended, was referred to Committee on Engraving.

C. J. R. No. 5 was placed on general order.

Rickards gave notice of introduction of "A bill for an act relating to the formation of municipal corporations."

Bills were introduced as follows:

By Collins: C. B. No. 28. "A bill for an act entitled an act to amend Section 1051 of the Fifth Division of the Revised Statutes of Montana."

Read first and second times and on motion of Collins the rules were suspended, and the bill referred to Committee on Ways and Means.

By Kennedy: C. B. No. 29 "An act concerning records of mining locations."

Council Journal Thirtieth Day.

Read first and second times, and on motion of Rickards, the rules were suspended and the bill referred to Committee on Mines and Minerals.

Collins, (by unanimous consent), introduced C. J. M. No. 2, "asking that the office of U.S. Surveyor General in the Territories, be not abolished."

Read first and second times. On motion of Collins, the rules were suspended, the Resolution considered Enrolled, The rules were suspended, the Resolution was read the third time, and passed by the following vote:

Ayes.	Batchelder	Cardwell	Collins	
	Holladay	Hurdley	Kennedy	
	Pardue	Rickards	Sutherland	
	Thompson	Waters	and	
	Mr. President			12
Noes	None			0

Pitts agreed to.

Mr. President announced signing C. B. No. 3.

The Council resolved itself into Committee of the whole for the consideration of general orders.

Pardue in the Chair.
Council resumed.

Mr. President in the Chair.

A communication from the House was received.

Council resolved itself into Committee of the whole for the consideration of general orders.

Pardue in the Chair.
Council resumed.

Mr. President in the Chair.

The following Report was received Mr. President.

Your Committee of the whole respectfully report that C. B. No. 6 has been considered, and the Committee

(Continued)

report the bill back, with the recommendation that it do not pass.

Having other business, the Committee asks leave to sit again.

J. K. Hardy
Chairman.

The following communication from the House was read.

House of Representatives
Helena M.T. February 8th 1887

Mr. President:

I am directed by the House to inform your Honorable Body, That:

Under a suspension of the rule C. J. R No. 6 and C. J. M. No. 2 have passed the House and they are herewith transmitted.

In as much as the Council has refused to recede from all of its amendments to H. B. No. 3, the House respectfully ask that the said bill be returned to the House, that they may properly take further action in the matter.

Mr. Speaker in conformity with C. C. R. for the appointment of a Joint Committee to examine the books of the Auditor and Treasurer, has appointed as such Committee on the part of the House, Messrs. Muth, Scoby and Thompson.

David Marks

Chief Clerk.

C. J. R. No. 6 and C. J. M. No. 2 were referred to Committee on Enrollment.

The following communication from the House was received.

House of Representatives
Helena M.T. Feb'y 7 1887

Mr. President:

I am directed by the House to inform your Honorable Body, That:

Notice were given as follows:

Council Journal Thirtieth Day.

By Harwood: "A bill for an act to amend Sections 983, 984, 985, 986, 987, 988, 989, 990 and 991 of Chapter 51 of the 5th Session Revised Statutes of Montana."

By Thompson: "A bill to prevent double taxation."

By Bussett: "A Joint Resolution to appoint a joint Committee of three from the House and two from the Council to visit the Penitentiary and Insane Asylum and report upon their condition and condition."

By Armstrong: "H. B. No. 50. 'An act concerning the fees and compensation of certain District and County officers'" Ordered printed.

By Harwood: "H. B. No. 51 'A bill for an act to amend an act entitled an act limiting the compensation of certain officers.'" Approved March 12th 1886.
Ordered printed.

By Muth: "H. B. No. 52 'An Act to amend Sections 396 and 397 of the Second Division of the Statutes of Montana.'" Ordered printed.

By Mantle: "H. B. No. 53 'A bill for an act concerning obscene literature.'" Ordered printed.

By Blake: "H. B. No. 54. 'An act to compile and arrange the General Laws of the Territory of Montana in force at the commencement of the fifteenth regular session of the Legislative Assembly, on the 10th day of January A.D. 1887.'" Ordered printed.

Mantle introduced, H. J. R. No. 2 for the relief of John X. Bidler.
David Marks
Chief Clerk.

By unanimous consent the following Report was received.

Mr. President:

Your Committee on Printing, beg leave to report C. B. No. 16

(Continued.)

"A bill for an act concerning Banks and Banking" as correctly printed.

Further in

Chairman

C. B. No. 16 was placed in general order.

On motion of Rickards,
the Council adjourned until to morrow
at 10 A. M.

Ruben L. Davis
Chief Clerk

Council Journal Thirtyfirst day
 Council Chamber
 Helena Montana
 February 9th 1887

Council met at 10 A. M. pursuant to adjournment.

Mr. President in the Chair.

Roll called Quorum present.

Prayer by the Chaplain.

Journal of the thirtieth day read and approved.

Holiday presented petitions of residents of Gallatin County asking for passage of law prohibiting employment of women and minors in public drinking resorts.

Received, and with all other petitions on file on same subject, referred to Committee on Education and Labor.

The following Reports were received.

Mr. President,

Your Judiciary Committee to whom was referred C. B. No. 22 and C. B. No. 20, the first "A bill for an act to encourage tree planting and arboriculture," and the other "A bill for an act to furnish education" have considered the same, and recommend their passage.

T. E. Collins
 Chairman.

Mr. President:

Your Committee to whom was referred C. J. M. No. 1 asking for an appropriation for the Yellowstone National Park beg to report the same correctly digressed.

Holiday
 Chairman.

Mr. President:

Your Committee on Printing beg to report C. B. No. 25

Continued.

"An act to provide for the erecting of a Penitential prison and the custody and labor of Penitential prisoners," together with the proposition of John R. King and P. S. Ash as correctly printed.

Sustained
Chairman.

Mr. President:

Your Enrolling Committee would respectfully report that C. B. No. 3, amending the Probate Practice act was presented to the Governor for his consideration at 2. P. M., Feb. 8, 1887.

Mr. President:

Your Enrolling Committee to which was referred H. J. R. No. 6 "Authorizing appointment of Joint Committee to meet similar Committee from Dakota, to consider measures for the prevention and suppression of contagious diseases, among stock," and H. J. M. No. 2 "Asking that the office of U. S. Surveyor General be not abolished in the Territories," would respectfully report them correctly Enrolled.

Kennedy Chairman

C. B. Bills No's 22 and 23 were placed in general orders.

H. J. M. No. 1 was placed in file for third reading.

C. B. No. 25 was referred to Committee on Internal Improvements.

C. B. No. 6 was referred to Committee on Engraving.

Mr. President announced the signing of H. J. M. No. 6.

Following by unanimous consent introduced C. J. R. No. 7 "To defray the expense of telegraphing C. J. M. No. 2, to the Delegate in Congress."

Read first and second times.

On motion of Kennedy the

Council Journal Thirtieth Day.

rules were suspended, the Resolution considered Engrossed, read the third time, placed on its final passage, and passed by the following vote.

Ayes. Batchelder Collins, Holliday
Hurdley Kennedy Pordy
Rickards Sutherland Thompson
Waters and Mr. President. " "

Noes. None " "

Absent. Cardwell " "

Pitts agreed to.

Kennedy moved that the Journal be corrected so as to show that the Council Substitute for H. B. No. 1 was adopted by the Council, which motion after discussion, was withdrawn.

On motion of Rickards, the vote by which Council Substitute for H. B. No. 1 passed the Council, was reconsidered, and the Substitute for H. B. No. 1 reported by Committee on Judiciary as amended upon recommendation of Committee of the whole, was adopted, and referred to Committee on Engrossment.

The following communication from the House was received.

House of Representatives

Wadena Minn. Feb'y 8th 1887

Mr. President:

I am directed by the House, to inform your Honorable body that,

Harwood, introduced H. B. No. 55 "A bill for an act to authorize the organization and incorporation of building and loan associations." Ordered printed.

The House insists on its non-concurrence to amendments to H. B. No. 3, and respectfully ask for a Committee of Conference; H. B. No. 3 is herewith transmitted.

H. B. No. 26 has passed the

(Continued.)

House, and is herewith transmitted.
Mr. Speaker has signed H. J. M.
(No. 6.)

David Mayke
Chief Clerk.

On motion of Collins, the Chair
was authorized to appoint a Committee
of two in the part of the Council to confer
with a like Committee of the House,
upon H. B. No. 3.

Sutherland and Holliday
were appointed such Committee.

On motion of Collins, the
rules were suspended, H. B. No. 26 was
read first and second times by its title,
and referred to Committee on Elections.

H. J. M. No. 1 was read the
third time and passed by the following
vote:

(Ayes	Batchelder	Curdwell	Collins
	Holliday	Lyndley	Pardee
	Rickards	Sutherland	Thompson
	Waters		10

(Noes	Kennedy and Mr. President	2
-------	---------------------------	---

Put to agreed to.

On motion of
Pardee H. B. No. 1 and C. Substitute
thereof were withdrawn from Committee
on Appropriations and referred to Committee
on Judiciary. The Council resolved itself
into Committee of the whole.

Rickards in the Chair.
Council resumed.

Mr. President in the Chair.
A communication from the
House was received.

The Council resolved itself
into Committee of the whole.

Rickards in the Chair.
Council resumed.

Mr. President in the Chair.
Mr. President announced signing
C. J. M. No. 2.

Council Journal Thirtieth Day.

The following Report was received

Mr. President:

Your Committee of the whole, having under consideration the bills hereinafter mentioned, respectfully report,

We recommend that the amendments to H. B. No. 3, reported by the Committee on the Judiciary be adopted, with this exception, That Section 9 be amended by striking out all after the word "husband" in fourth line from end of Section, and that as amended, the bill do pass.

We recommend that C. J. R. No. 3 be amended by striking out the words, "Report of the Law Division of the Montana Library," and "Report of the Contractor for the care and maintenance of the indigent insane," and that as amended it do pass.

We recommend that C. B. No. 23 do pass. J. E. Nickard
Chairman.

On motion of Collins, the amendments to H. B. No. 3 were adopted. H. B. No. 3, C. B. No. 23 and C. J. R. No. 3, were referred to Committee on Engraving.

The following communication from the House was received

House of Representatives

Wadena Minn. Feb'y 9th 1884

Mr. Speaker

I am directed to return to your Honorable body J. M. No. 7 its history having been properly corrected.

David M. R.
Chief Clerk.

H. J. M. No. 7 was placed in general orders.

(Continued.)

Council adjourned until
tomorrow at 10 A.M.

Reuben L. Davis
Chief Clerk

Council Journal. Thirtysixth day
Council Chamber
Helena Montana
February 10th 1887.

Council met at 10 o'clock
A. M. pursuant to adjournment.

Mr. President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal of the
thirty-first day read and approved.

Parson presented a remonstrance
of citizens of Philipburg, Deer Lodge
County, against repeal of the law
licensing Commercial Travelers.

Received and referred to
Committee on Ways and Means.

The following Reports were
received.

Mr. President:

Your Committee
on Education and Labor to whom was
referred C. B. No. 21 "relating to a
Territorial Board of Arbitration," return
the same with amendments hereto
attached, and recommend it do pass as
amended.

J. E. Rickards
Chairman.

Mr. President:

Your Committee on
Education and Labor to whom was
referred Substitute for H. B. No. 13,
relating to Variety Theatres, herewith
return the same with recommendation
that it do pass.

J. E. Rickards
Chairman.

Mr. President:

Your Committee on
Ways and Means, to whom was referred
C. B. No. 18, "A bill for an act in
relation to County Assessors" have duly
considered the same, and beg leave to

(Continued.)

report it back with full recommendation.

J. X. Payson
Chairman.

Mr. President:

Your Committee on Printing beg leave to report C. B. No. 24 "An act to protect children from neglect and cruelty and relating to their employment, protection and adoption" and C. B. No. 27 "An act to punish persons for making fraudulent pedigrees of live stock" as correctly printed.

Substituted

Chairman.

Mr. President:

Your Committee on Agriculture and Manufactures to which was referred C. B. No. 12 "To provide for the posting of estrays in this Territory", would recommend the following amendments.

In Section one strike out all the words between the word "animals" in second line (1st line printed bill) and the word "found" in the seventh line (3rd line printed bill).

In Section 1 line 10 (line 4 printed bill), strike out the words, "and treated as such."

In Section 3 line 13 (line 5 printed bill) strike out the words "one dollar" and substitute therefor the words "fifty cents."

In Section 4, line 11 (line 5 printed bill) insert after the word "publication", the words "said newspaper."

In Section 4, line 15 (line 6 printed bill) strike out the words "and fifty cents."

In Section 4 line 24 (line 9 printed bill) strike out the word "one dollar" and substitute therefor the word "fifty cents."

And the Committee

Council Journal Thirtysecond day.
 18 Commends the passage of the bill as amended.

Cardwell
 Chairman.

Mr. President:

Your Committee in Engrainment to whom was referred C. B. No. 3 "Providing for printing the Governor's Message and other documents", C. B. No. 23 "A bill for an act to punish seduction", and Council Amendments to N. B. No. 5, beg to report them correctly engrossed.

Holliday
 Chairman.

Mr. President:

Your Committee in Towns and Counties to whom was referred C. B. No. 26 entitled "A bill for an act to provide compensation for Samuel Ingham for the Assessment of Meagher and Fergus Counties, have had the same under consideration, and beg leave to report the Bill back with the accompanying Amendments, and as so amended, recommend that it do pass.

Cardwell
 Chairman.

Mr. President:

Your Committee in Ways and Means, to whom was referred C. B. No. 17 "For the relief of A. M. Farmer" have duly considered the same, and beg leave to report it back, with the recommendation that it do not pass.

J. A. Pearce
 Chairman.

On motion of Kennedy, C. B. No. 6 was withdrawn from Committee in Engrainment, and was amended by striking out the word "fifty" in line 19, and inserting in lieu thereof the word "Twenty" and again referred to Committee in Engrainment.

Continued.)

On motion of Kennedy, the amendments to C. B. No. 21 were adopted, and the bill placed on general orders.

H. B. No. 13, C. B. No. 18 and C. B. No. 17 were placed on general orders.

On motion of Kennedy, the amendments to C. B. No. 12, were adopted, and the bill placed on general orders.

C. B. No. 24 was referred to Committee on Education and Labor.

C. B. No. 27 was referred to Committee on Grazing and Stock-growing.

C. J. R. No. 5, C. B. No. 23 and H. B. No. 5 were placed on file for third reading.

On motion of Cardwell, the amendments to C. B. 26, were adopted, and the bill placed on general orders.

Notice of introduction of bills were given as follows:

By Rickards "A bill for an act relating to changing names of persons and places."

Also, "A bill for an act providing for the adoption of children."

By Pardee; "A bill for an act increasing the salary of the Territorial Treasurer."

Also; "A bill for an act to increase the official bond of the Territorial Treasurer."

Cardwell, moving, being made third, introduced C. J. No. 3, "Relative to Pioneer Settlers of the Yellowstone National Park."

Read first and second times, and on motion of Frederickson, referred to Committee on Federal Relations.

The following communication from the House was received:

Council Journal Thirty second day.

House of Representatives
 Second M.P. Feb'y 9th 1887

Mr. President:

I am directed by
 the House to inform your
 Honorable body,
 That:

Notices of the introduction of bills
 were given as follows:

By Muesh: "A bill for the relief of
 Messrs Fyke Bros."

By Graham: "A bill for an act
 concerning the Lord's day"

By Wilson: "A bill for an act to
 amend an act concerning the
 representation of Quartz Mines."

By Toole: "A bill relating to
 marriage license."

Bills were introduced
 as follows:

By Harwood: H. B. No. 56.
 "A bill for an act to amend an act,
 entitled an act to create the County of
 Yellowstone and for the election of
 Officers thereof." (Ordered printed)

By Joint Library Committee:
 H. B. No. 57 "An act reorganizing and
 consolidating the Montana Library."
 Ordered printed.

H. Bills, Nos. 25 and
 28, have passed the House and are
 herewith transmitted.

David Mark.
 Chief Clerk.

H. B. No. 25 was read first and
 second times, and referred to Committee
 on Ways and Means.

H. B. No. 28 was read first and
 second times, and on motion of Waters,
 referred to Committee on Incorporations.

H. B. No. 5 was read the third
 time, and passed as amended by the
 following vote:

(Continued.)

Ayes: Batchelder Cardwell Collins
Holladay Hurdley Parker
Rickards Sutherland Thompson
Waters and Mr. President 11

Noes Kennedy
Pitts agreed to. C. J. R. No. 5.

was read the third time and passed by the following vote.

Ayes Batchelder Cardwell Collins
Holladay Hurdley Kennedy
Parker Rickards Sutherland
Thompson Waters and
Mr. President. 12

Noes None 0

On motion of Kennedy, the title of C. J. R. No. 5, was amended so as to read "Providing for the printing of the Governor's Message."

C. B. No. 20 was read the third time, and passed by the following vote:

Ayes Batchelder, Cardwell Collins
Holladay Hurdley Kennedy
Parker Rickards Sutherland
Thompson Waters and
Mr. President. 12

Noes None 0

Pitts agreed to.

The Council resolved itself into Committee of the whole for the consideration of general orders.

Rickards in the Chair.
Council resumed.

Mr. President in the Chair.

Mr. President announced the signing of C. J. R. No. 6.

Rickards, Chairman of the Committee of the whole, reported progress, and was granted time to prepare report.

On motion of Collins, the Council adjourned until tomorrow at 10 o'clock A. M.

Reuben L. Davis
Chief Clerk

Council Journal Thirtythird Day
 Council Chamber
 Helena Montana
 February 11th 1887

Council met at 10 o'clock A.M.
 pursuant to adjournment.

Mr. President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal of Thirty second day read and
 approved.

Resolutions presented petitions of
 residents of Silver Bow County asking for
 such legislation as will leave Variety
 Theatres to the care of Municipal
 Governments of the Territory.

Received and placed in file.

The following Reports were received.

Mr. President,

Your Engraving
 Committee to whom was referred C.
 B. No. 6 "A bill for an act to amend
 article 1 of Chapter XV of the Fifth Division
 of the Revised Statutes of Montana, beg
 to report the same correctly Engraved.

Wesley Chairman.

Mr. President:

Your Engraving Committee
 begs leave to report that C. J. R. No. 6 for
 the appointment of a committee to meet
 a like body from Dakota to arrange
 measures for the prevention and suppression
 of contagious diseases among cattle was
 presented to the Governor at 2 P. M.
 Feb. 10 1887

Kennedy Chairman.

Mr. President.

Your Committee to
 whom was referred C. J. M. No. 3
 "Relative to Pioneer Settlers of the Yellowstone
 National Park have had the same under
 consideration, and beg leave to report the

(Continued)

same back with recommendation that it do pass.

Munday Chairman

Mr. President,

I am instructed by the Committee of the whole to report that having under consideration C. B. No. 16 the Committee recommend the following amendments thereto.

Amend Section 8 by striking out the words "The Auditor shall have power to call for special reports from all or any particular Bank whenever in his judgment the same may become necessary."

Amend Section 11 by striking out all after the word "overdue."

Amend Section 14 by inserting after the words "Felony and" in eleventh line (fifth line printed vice) the words "upon conviction thereof."

Amend Section 16 by inserting after the word "Bank" in line 1 the words "incorporated under the provisions of this act."

And that as amended it do pass.

That C. B. No. 12 was under consideration, not having completed it; your Committee ask for further time.

J. C. Rickard
Chairman.

C. B. No. 6 was ordered placed on calendar for third reading.

On motion of Gardner the rules were suspended, C. J. R. No. 3 was considered, engrossed and placed on calendar for third reading.

On motion of Kennedy,

The amendments to C. B. No. 6 were adopted, and the bill and amendments referred to committee on disagreement.

Notions of introduction of bills were given as follows:
By Rickard - "A Bill for an act to amend Sections 504 & 505 of the division of the Revised Statutes"

By Sutherland - "A Bill for an act to restrict the use of poison for bait in killing wild animals"

(Continued.)

Bills were introduced as follows:

By Parden: C.B. No 30, "a Bill for an act to amend sections 77 and 81 of the fifth division of the General Laws of Montana"

Read first and second times and referred to Committee on Printing.

By Richards: C.B. No 31, "a Bill for an act to authorize the changing the names of persons and places"

Read first and second times and referred to Committee on Printing.

By Richards: C.B. No 32, "a Bill for an act providing for the adoption of children"

Read first and second times and referred to Committee on Printing.

The following report was received:

Mr. President

Your Committee on Internal Improvements, to whom was referred C.B. No 25, Relating to the building of a territorial prison, report the same back with the following amendments: Strike out the word "two" in line 5, section 3, printed bill, and insert in lieu thereof the word "ten"; also in line 11 of proposition after the word "and" strike out the word "two" and insert in lieu thereof the word "ten", and with the above amendments recommend that it do pass.

Waters, chairman

On motion of Kennedy the amendments to C.B. No 25 were adopted, and the bill placed on General Orders.

The following report was received:

Mr. President,

Your Committee on Judiciary, to whom was referred C.B. No 1, concerning the crime of rape, present the same with the recommendation that all after the enacting clause be stricken out, and in lieu thereof the amendments be attached to be added, and so amended that it do pass.

J. E. Collins

Chairman

(Continued)

On motion of Collins

The amendments to A.B. 7101 as this day reported by Committee on Judiciary were adopted, and the bill was referred to Committee on Engraving.

On motion of Pardee, the following resolution was adopted:

Resolved by the Fifteenth Legislative Council that the Governor be requested to furnish the Legislature, at his earliest convenience, a statement of all the fees and emoluments of the offices of the Territorial Auditor and Treasurer for the years 1885 and 1886; and that the Secretary of the Territory furnish the Legislature with a copy of the reports of this Governor in regard to said offices as required by section 85 of the Constitution of the General Laws of Montana.

J. P. Pardee
Chairman.

The following communication from the House was received:

House of Representatives
Helena, M.T., Feb 10, 1887

Mr President,

I am directed by the Speaker to inform your honorable body that
Notes of the introduction of bills were given as follows: —

The Marshal - "A bill for an act to amend an act authorizing the Governor to contract for the keeping and maintenance of territorial prisons; also

"A Bill for an act to amend the law on the subject of publication of summonses; also,

"A Bill for an act to amend the law concerning the appointment of guardians for the insane."

The Marshalls - "A Bill for an act to amend an act entitled an act to authorize County Commissioners to compel lands to redeem outstanding indebtedness," approved March 6, 1883.

Also introduced as follows: S. By Gorham, H.B. No. 58: "A bill for an act concerning the Georgia Bay Bridge of Montana."

And also - H.B. 7105, "An act concerning the

representative of the party 'leds' and printed. C. J. S. 1107, under a suspension of the rules, and H.B. 7106 passed the House, and they are herewith transmitted.

Mr Speaker has signed C. J. R 7106

David Marks
Chief Clerk

(Continued)

C. J. R. No 7 was referred to Committee on Enrollment.
 C. B. No 6 was read first and second times, and on motion of Parden referred to Committee on Judiciary.

C. J. M. No 3 was read the third time and passed by the following vote

Ayes: Batchelder, Cardwell, Collins, Holliday,
 Hurdley, Kennedy, Parden, Richards, Sutherland,
 Thompson, Waters and Mr President - 12
 Noes none
 Tills agreed to

C. B. No 6 was read the third time and lost by the following vote:

Ayes - Collins, Holliday, Hurdley, Parden, Thompson - 5
 Noes - Batchelder, Cardwell, Kennedy, Richards, Sutherland,
 Waters, Mr. President. - 7

Cardwell gave notice of motion to reconsider the vote on C. B. No 6

The following communications from the Governor were received:

Executive Department
 Helena Feb 11, 1881

Sir: Members of the Council and House of Representatives -
 Having taken the oath as required by Law, and entered upon the duties of the office of Governor of the Territory of Montana, and finding by the legislative branch of this Government of said Territory, in regular session, whereby made known to you that I have selected and shall trust my friend, Harry L. Lusk, to be and act as private secretary of the Governor, and through and by him will be communicated to you information from time to time during this session of your service as shall seem to be proper from the Executive Department of the Government

Respectfully
 P. H. Leslie

(Continued)

Territory of Montana
 To Governor's Office
 Helena Feb 11, 1889

To the Legislative Council,

I have the honor to inform the Council that on the 10th day of this month I approved the joint resolution which originated in your House and was adopted by both the Council and House of Representatives, entitled, "Council Joint Resolution authorizing the appointment of a committee to confer with the authorities of Dakota in relation to measures for the preservation and suppression of contagious diseases among live stock"

Respectfully,
 J. H. Diehl Governor

Territory of Montana
 Governor's Office
 Helena, Feb 11, 1889

To the Legislative Council

I have the honor to advise you that on the 8th day of Feb. 1889, I approved the Bill No 3, which originated in your body entitled, "A Bill amending the 'Probate Practice Act'"

Respectfully,
 J. H. Diehl Governor

The Council resolved itself into Committee of the whole for the consideration of general orders, Holidays in the chair.

Council resumed, Mr President in the chair.

Holliday, chairman of committee of the whole, reported progress, and asked leave to sit again.

Council took a recess until 2 o'clock p.m.

Council resumed, Mr President in the chair

Roll called. Quorum present

Mr President presented petition of residents of Madison county for law granting bounty for

(Continued)

Billings ground squirrels, which was received and ordered placed on file.

The following report was received:-
Mr President

Your Committee on Education and Labor, to whom was referred C.B. No 24, herewith return the same with the recommendation that it do pass

J. E. Richards
Chairman

C. B. No 24 was placed on general orders

Bills were introduced as follows:

By Thompson - C.B. No 33, "An act relating to the assessment and levy of taxes"

Rules suspended.

Read first and second times to its title and referred to Committee on Printing

By Richards:- C.B. No 34 - A bill for an act to amend section 504 of the 5th division of the Revised Statutes.

Read first and second times, and referred to Committee on Printing

Pardee offered the following resolution:
Hurdley in the chair.

Resolved by the House to request Council, through the Divisional Treasurer, furnish the Legislature with a report of the rate of and amount of interest money received by him, if any, from the loaning or depositing of the public funds during the years 1885 and 1886, and from whom received, and by what authority he has done so

J. K. Pardee

(Continued)

Gardner moved that this resolution be adopted, which was lost

Mr President in the chair

This Council resolved itself into Committee of the whole, Holliday in the chair

Council resumed, Mr President in the chair,

Holliday, Chairman of the Committee of the whole, reported consideration of bills and was granted time to prepare report.

On motion of Stundel, the Council adjourned until tomorrow at 10 o'clock a.m.

Ruben L. Davis
Chief Clerk

Council Journal Thirtyfourth Day.
 Council Chamber
 Helena Montana
 February 12th 1887

Council met at 10 A. M.
 Pursuant to adjournment.

Mr. President in the Chair.
 Roll called. Quorum present.

Prayer by the Chaplain.

Journal of thirty third day
 read and approved.

The following petitions
 were presented.

By Thompson: Petitions of
 residents of Carter County for law
 protecting women, and for local option law.

By Pardee: Petitions of residents of
 Drummond and New Chicago, Deer
 Lodge County, for law prohibiting
 employment of women and minors in
 public drinking resorts.

By Kennedy: Petitions of
 residents of Missoula County for law
 requiring saloons, stores etc. to be closed
 on Sunday.

Also Petitions for law prohibiting
 gambling.

Received and placed on file.
 The following Reports were received.
 Mr. President:

Your
 Committee on Engrossment, to whom
 was referred Council amendments
 to H. B. No. 1, also C. B. No. 16 "A bill
 for an act concerning banks and banking,
 beg to report they have examined the
 same, and report them correctly
 Engrossed.

Holladay Chairman.

(Continued)

Mr. President,

Your Enrolling Committee to which was referred C. J. R. No 7 to defray the expenses of telegraphing C. J. M. Nor to our delegate in Congress, begs leave to report it correctly enclosed.

Kennedy, Chairman

Mr President,

I am instructed by the Committee of the Whole to report that C.B. No 22, a bill to encourage tree planting and arboriculture in Montana, has been considered, and to report the same back with the annexed amendments thereto, and with the recommendation that said amendments be adopted, and that as amended the bill do pass.

Halliday

Chairman

Mr President,

I am instructed by the Committee of the Whole to report back C.B. No 21 as having been considered, and with the recommendation that the amendments to the bill hereto annexed be adopted, and that as amended the bill do pass.

Halliday

Chairman

Mr President

I am instructed by the Committee of the Whole to report back H. J. M. No 7 as having been considered, and with the recommendation that the same do not pass.

Halliday

Chairman

Mr President

I am instructed by the Committee of the Whole to report back C.B. No 12 "An Act providing for the posting of strays in this Territory," as having been considered, and with the recommendation that the amendments hereto annexed be adopted, and that as amended the bill do pass.

Halliday

Chairman

(Continued)

C.B. No 1, as amended, and C.B. No 16 were placed on calendar for third reading

on motion of Kennedy.

The amendments to C.B. No 22 were adopted, and the bill and amendments referred to Committee on Engrasement

on motion of Kennedy.

The amendments to C.B. No 21 were adopted, and the bill and amendments were referred to Committee on Engrasement,

H.J.M. No 7 was placed on calendar for third reading

on motion of Kennedy.

The amendments to C.B. No 22 were adopted, and the bill and amendments referred to Committee on Engrasement

Cardwell moved that the vote by which C.B. No 6 was lost on yesterday be reconsidered, which was carried by the following vote:-

Ayes: Cardwell, Collins, Holliday, Hundley, Paden,
Richardson, Sutherland, Thompson, Waters,
Mr. President - 10

Noes: Datohelder, Kennedy - 2

Cardwell moved that the bill be referred to a select committee of three. Carried. And

Cardwell, Waters and Thompson were appointed such committee.

The following communication from the House was received:

House of Representatives,
Helena, M.T. Feb 11. 1887

Mr President,

I am directed by the House to inform your honorable body:-

(Continued)

That the chair has appointed on the part of the House as conference committee on S.B. No 3 Messrs Blake and Brown.

S.B. No. 17 has been laid on the table.

Notice was given by Alderson of "a Bill for an act to encourage the constructing of irrigating canals"; also, "a Joint Memorial to the Interior Department regarding the Fort Ellis Military Reservation".

The following resolution has been adopted by the House-

Resolved by the House of Representatives, the Council Concurring, that a joint committee, composed of five members of the House and three from the Council, be and are hereby appointed to proceed to the Penitentiary and Asylum for the Insane, and make a thorough examination of the manner of conducting said institutions, together with the capacity and needs of the buildings to comfortably care for the inmates, and report to the Legislative Assembly the result of their investigation together with such recommendations as they may deem necessary by bill or otherwise.

David Marks

Chief Clerk

S.J.R. No. 7 was read the third time.

Collins moved that the memorial be referred to a select committee, Gardner, and Holliday, Collins and Kennedy appointed such committee.

S.B. No. 1 was taken up.

On motion of Collins the rules were suspended, the bill read the third time by its title, and passed as amended by the following vote:

Ayes: Thatcher, Gardner, Collins, Holliday, Kennedy, Kennedy, Pardon, Richards, Luther, Thompson, Waters.

Mr. President - 12

Noes - None

Title agreed to

(Continued.)

C. B. No 16 was read the third time and passed by the following vote:

Ayes - Batchelder, Cardwell, Collins, Holliday,
Hendley, Kennedy, Parker, Richards,
Sutcliffe, Thompson, Watson, Mr. President, - 12

Noes - none

It is agreed to

The Council resolved itself into Committee of the Whole for the consideration of general orders, to be in the Chair.

Council resumed, Mr. President in the Chair

The following report was received:

Mr President,

The Committee of the Whole have had under consideration C. B. No. 13, and have added a new section, as follows: "Section 4 - That no person, persons, company or corporation shall sell or dispose of any spirituous, vinous or malt liquor in any room, hall or other place where women or minors are employed or are allowed to assemble for the purpose of the business therein carried on," and that it be so amended it do pass.

The Committee have considered C. B. No. 18 and recommend that it do pass.

J. E. Collins,

Chairman

Mr. President announced the signing of C. J. R. No. 7

On motion of Hendley.

The amendment to C. B. No. 13 was adopted and referred to Committee on Engraving

C. B. No. 18 was referred to Committee on Engraving

Richards (by consent) gave notice of introduction of a Bill for an act relating to our National Guard

(Continued)

Leave of absence was granted to Richards for Monday next.

On motion of Cardwell, Council adjourned until Monday next, at 10 o'clock a.m.
Ruben L. Davis
Chief Clerk.

Council Journal Thirty-sixth day
 Council Chamber
 Helena Montana
 February 14th 1887

Council met at 10:00 o'clock
 A. M. pursuant to adjournment
 Mr. President in the Chair
 Roll called. Quorum present.
 Prayer by the Chaplain.
 Journal of the thirty-fourth
 day read and approved.
 The following petitions were
 presented.

By Collins, Petitions of residents
 of Fort Benton for protection of women,
 and a Local Option Law.

Petitions received and ordered
 placed in file.

The following reports
 were received.

Mr. President,
 Your Committee
 on Grazing and Stock raising to whom
 was referred C. B. No. 27 "A bill for
 an act to punish persons for making
 fraudulent pedigrees" have had the
 same under consideration, and have
 directed me to report the bill back with
 the accompanying amendments, and as
 amended recommend that the same
 do pass.

Wendell Chairman.

Mr. President,

Your Committee on
 Engraving to whom was referred
 C. B. No. 22 "A bill for an act to encourage
 the planting and arboriculture in Montana"
 and Council amendment to substitute for
 H. B. No. 13, report them correctly engraved.

Wendell Chairman.

On motion of Wendell, the
 amendments to C. B. No. 27 were

(Continued)

adopted, and the bill was referred to the Committee on Engraving.

Notices of introduction of Bills were given as follows:

By Collins, "A bill for an act to prohibit the sale of intoxicating liquors to certain persons outside the limits of incorporated towns or cities, or any legally established townsites, wherein is established a post office;" also "Regulating liquor licenses" "Providing a registration law for Montana" "Creating the office of Attorney General" "Providing for taking the census of Montana during 1887" "Enlarging the powers and duties of County Clerks."

By Sutherland, "A bill for an act to suppress and prevent the dissemination of scab and contagious or infectious diseases among sheep," Also "A Bill for an act to amend Section 968 of the Fifth Division of the revised statutes."

By Cardwell, "A bill for the care and support of orphan children."

Bills were introduced as follows:

By Sutherland, C. B. No. 33 "A bill for an act to restrict the use of poison for bait in killing wild animals" Read first and second times and referred to Committee on Printing.

By Collins, C. B. No. 36, "A bill for an act to provide for the appointment and to prescribe the duties of a Public Examiner for the Territory of Montana." Read first and second times and referred to Committee on Printing.

The following communication from the House was received

House of Representatives
Helena M.T. Feb 12th 1887
Mr. President, I am directed by the

Council Journal Thirty sixth Day.

House to inform your Honorable body,
That,

The House refuses to concur in
Council amendments to H. B. No. 5,
and respectfully asks the Council to
recede therefrom. The bill is herewith
returned.

White gave notice of "a bill to
amend Section 648 Fifth Division Revised
Statutes of the Territory of Montana."

Bills were introduced as follows:

By Muth, H. B. No. 60 "An act for
the relief of 'Fisk Bros' Order printed.
Also,

H. B. No. 61 "An act to amend an
act entitled, an act to enable the
County of Lewis and Clark, to build a
Court House. Ordered printed.

By Hamwood. H. B. No. 62 "A bill
for an act to amend an act to authorize
County Commissioners to issue bonds to
receive outstanding indebtedness" Approved
March 6th 1883. Ordered printed.

H. B. No. 20 was read a third
time and lost, and the same is
herewith transmitted.

David Marks
Chief Clerk.

On motion of Collins the
Council refused to recede from amendments
to H. B. No. 5.

On motion of Collins, consideration
of H. B. No. 13 was laid over until to-
morrow.

H. B. No. 22 and H. B. No. 13 were
placed in calendar for third reading.

H. B. No. 22 was read a third time
and passed by the following vote.

Ayer	Batchelder	Collins	Cardwell	
	Holliday	Kennedy	Kennedy	
	Pardee	Turkheim	Thompson	
	Waters	and Mr. President		11

Not present Stone

Absent Rockart
Piotte Agreed to.

(Continued)

Council resolved itself into Committee of the whole, Cardwell in the Chair.

Council resumed.

Mr. President in the Chair.

Cardwell, Chairman of Committee of the whole, reported consideration of C. Bills Nos 17 and 26 and asked for time to report.

On motion of Parker, Chief Clerk Davis was granted leave of absence for one day.

On motion of Haters, Council took recess, until 2 o'clock P. M.

2. P. M.

Council resumed. Mr. President in the Chair.

Roll called. Quorum present.

House resolution in reference to appointing a Joint Committee to visit the Penitentiary and Asylum for the Insane was again read.

Collins moved, as an amendment that the number of the Committee be reduced from eight to five which was lost.

The resolution was concurred in.

Council then resolved itself into Committee of the whole.

Cardwell in the Chair.

Council resumed.

Mr. President in the Chair.

The following reports were received.

Mr. President,

Your Committee of the whole have had under consideration, C. B. No. 17 "An act for the relief of A. W. Tanner," beg leave to report the same back with recommendation that it do not pass.

Also C. B. (No. 26, which is reported back with recommendation that it be referred to Committee on Judiciary for amendment.

Cardwell

Chairman.

Council Journal Thirty sixth Day.

Mr. President,

Your Committee on Agriculture and Manufactures to whom was referred C. B. No. 15 have had the same under consideration, and beg leave to report the bill back with the recommendation that it do pass -

Cardwell

Chairman.

Mr. President,

Your Committee of the whole house have had under consideration C. B. No. 25 for the erection of a Penitential Prison, beg leave to report the same back with amendments, and recommend that the bill as amended be referred to a Special Committee of staff.

Scrutcher

Chairman.

On motion of Collins, the report of Committee of the whole on C. B. No. 17 "An act for the relief of A. W. Tanner," was adopted, and was laid on the table.

On motion of Kennedy C. B. No. 26 was referred to Committee on Judiciary as recommended.

On motion of Kennedy, C. B. No. 15 was placed on general orders.

On motion of Collins, C. B. No. 18 was recalled from Engrossing Committee to be made a special order for tomorrow at 11 o'clock.

On motion, the recommendations of the Committee of the whole were adopted.

Mr. President, appointed, Collins, Kennedy and Waters as a Select Committee to consider C. B. No. 25 as recommended by the Committee of the whole.

On motion of Kennedy, Council adjourned until tomorrow at 10. A. M.

Reuben L Davis
Chief Clerk

Council Journal Thirtyseventh Day
 Council Chamber
 Helena Montana
 February 15th 1887

Council met at 10 o'clock A.M.
 Pursuant to adjournment, Mr. President in the Chair
 Roll called. Quorum present.
 Prayer by the Chaplain.
 Journal of the thirty-sixth day read
 and approved. Petitions were presented as
 follows:

By Waters; Remittance of Citizens
 of Deacon County against raising price
 of license for sale of liquors. Referred to
 Committee on Ways and Means.

By Kennedy; Petition of citizens of
 Missoula County concerning registration
 law. Referred to Committee on Elections.
 The following Reports were
 received:

Mr. President:

Your Committee on Engravesment to whom was referred C. B.
 No 27 "An act for an act, to punish persons
 for making fraudulent pedigrees of live
 stock." C. B. No. 12 "An act providing
 for the posting of Estrays in this Territory."
 C. B. No. 21 "An act to provide for a
 Tribunal board of arbitration for the
 settlement of differences between employers
 and employees beg to report their
 concisely Engraved.

Holiday
 Chairman

Mr. President:

Your Committee on
 Enrollement, beg leave to report that C. J.
 R. (No. 7) providing for telegraphing C. J. M. No.
 2 to delegate Noble, was presented to the
 Governor for his approval at 4 P.M.
 Feb'y 14th 1887

Kennedy
 Chairman

Council Journal Thirty seventh Day

C. B. No. 27; C. B. No. 12 and C. B. No. 21 were placed in calendar for stand reading.

Kennedy, gave notice of introduction of "A bill for an act concerning marriage"

On motion of Collins the following Resolution was adopted.

Resolved: By the Council, the House concurring; That the chairman of the Committee on Printing in the two Houses be and they are hereby authorized and directed to contract with the Independent and Herald Printing Establishment at Helena MT. for the printing of the Revenue bill, Road bill, and other bills of a general nature for the use of the Legislative Assembly and at the expense of the Territory.

(Collins)

The following communication from the House was received.

House of Representatives
Helena MT.

Feb'y 14th 1887

Mr. President:

I am directed by the House to inform your Honorable body that:

H. Bills 37, 42, 44, and 54 have passed the House and they are herewith transmitted.

David Marks
Chief Clerk.

H. B. No 37 was read first and second times and placed in general order.

H. B. No. 42 was read first and second times and referred to Committee on Elections

H. B. No. 44 was read first and second times and referred to Committee on Towns and Counties.

On motion of Collins, the rules were suspended, and H. B. No. 54 was read first and second times, by its title,

(Continued)

and referred to Committee on Judiciary.
Communications from the Governor were received as follows:

(A communication announcing his approval and signing of C. J. R. No. 7 Also,

A communication in regard to statements of fees and emoluments of the offices of Territorial Auditor and Treasurer with accompanying statements from the Territorial Auditor and Treasurer. Referred to Committee on Ways and Means.
Also,

A communication, accompanied by Reports of the Board of Stock Commissioners, Referred to Committee on Grazing and Stock-growing.

Collins by consent introduced C. B. No. 3 "A bill for an act to prohibit the sale of intoxicating liquors, outside the limits of any incorporated town or city or any legally established town site wherein is established a Post Office, to certain persons."

Read first and second times and referred to Committee on Printing.

The hour for which C. B. No. 18 was made the special order, having arrived, the same was taken up.

(On motion of Collins, the bill was amended by striking out Sections 1 and 2 and inserting in lieu thereof the following:

Section 1. That the Treasurer of each County of the Territory shall be entitled to receive as fee from their respective counties, such sums as the Board of County Commissioners may in their discretion audit and allow, not to exceed a percentage of the assessed valuation returned by them, subject to all reductions made by the Board of Equalization, to be computed as follows:

On the first one million dollars or fraction thereof, one mill on each dollar of assessed valuation; on all amounts over

Council Journal Thirtieth Day

one million and less than two million dollars, one half of one mill. On all amounts over two million dollars, and less than three million dollars, one third of one mill: on all amounts over three million dollars and less than four million dollars of assessed valuation, one fourth of one mill: on all amounts over four million dollars and less than five million dollars, one fifth of one mill: on all sums over five millions and less than six million dollars, one sixth of one mill and on all amounts of assessed valuation, over six million dollars, one eighth of one mill on each dollar so assessed and returned.

H. B. No. 18 and amendments were referred to Committee on Engraving.

The third reading of H. B. No. 13 ^{was postponed.} until this afternoon.

H. B. No. 12 was read the third time and passed by the following vote:

Ayes:	Batchelder	Cardwell	Collins	
	Holliday	Hundley	Kennedy	
	Sutherland	Thompson	Waters	
	and Mr. President.			10

Noes	None	0
Absent	Pardue	Rickards
		2

On motion of Kennedy,

The title of the bill was amended so as to read as follows: "An act providing for the porting of Estrays."

H. B. No. 21 was read the third time and passed by the following vote:

Ayes:	Cardwell	Collins	Holliday	
	Hundley	Kennedy	Sutherland	
	Thompson	Waters	Mr. President	9

Noes	Batchelder	1
Absent	Pardue	Rickards
		2

Vote agreed to.

(Continued.)

C. B. No. 27 was read ~~thirteen~~
and passed by the following vote:

Ayes:	Batchelder	Cordwell	Collins
	Holliday	Wendley	Kennedy
	Sutcliffe	Thompson	Waters
	Mr. President		10
Noes	None		0
Absent	Parson	Rickards	2

On motion of Wendley the title of the bill was amended so as to read "A bill for an act to punish persons for making or using fraudulent pedigrees of live stock."

The following communication from the House was received.

House of Representatives
Helena Mt. February 14th 1887

Mr. President:

I am directed by the House to inform your Honorable body, That:

Notices of the introduction of bills were given as follows:

By Marshall: "A bill for an act creating the office and defining the duties of Attorney General of the Territory"

By Page: "A bill for an act to provide for preventing the evils of intemperance by local option in any County in the Territory, by submitting the question of prohibiting the sale of intoxicating liquors, to the qualified voters of such County, to provide penalties for its violation, and other purposes."

Bills were introduced as follows:

By White: H. B. No. 63 "An act to amend Section 648 of the Fifth Division of the Revised Statutes of Montana" Ordered printed.

By Marshall: H. B. No. 64, "An act concerning the publication of summons" Ordered printed.

Council Journal Thirtyseventh Day.

The House insists upon its non-concurrence to H. B. No. 5 and asks for a Committee of conference.

The bill is herewith transmitted.

David Marks
Chief Clerk.

On motion of Kennedy,
The Council acceded to the request of the House for a Committee of conference on H. B. No. 5, and the Chair appointed Collins, Richards and Thompson, as such Committee to act in the part of the Council.

The following communication from the House was received:

House of Representatives
Wilmington, Feb'y 15th 1887

Mr. President:

I am directed by the House to inform your Honorable body That:

H. J. R. No. 3 has passed the House, and the same is herewith transmitted.

David Marks
Chief Clerk.

H. J. R. No. 3 was read first and second times and referred to Committee on Ways and Means.

Council took a recess until 2. P. M.

2. P. M.

Council resumed,

Mr. President in the Chair.

Roll called. Quorum present.

The Council resolved itself into Committee of the whole, for the consideration of General Orders.

Richards in the Chair.

Council resumed.

Mr. President in the Chair.

Richards, Chairman of Committee of the whole, reported consideration of C. B. No 24 HB37- and CB 5, and was granted further time to prepare report.

(Continued)

No. B. No. 13 was read the third time and passed by the following vote:

Ayes:	Datchelder, Cardwell	Collins	
	Holladay, Hensley	Kennedy	
	Rickards, Sutcliffe	Thompson	
	Waters, Mr. President		11
Noes	None		0
Absent	Pardue		1

Vote agreed to.

On motion of Collins, Council adjourned until to morrow at 10 o'clock A. M.

Ruben L. Davis
Chief Clerk

Council Journal Thirty eighth Day
 Council Chamber
 Helena Montana
 February 16th 1887

Council met at 10 o'clock A.
 M. pursuant to adjournment.

Mr. President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal of thirty seventh
 day read and approved.

The following
 Reports were received:

Mr. President:

Your Committee
 of the whole having had under consideration
 C. B. No. 24 "An act relating to the
 protection, employment and adoption of
 children". Also C. B. No. 37 "An act
 concerning the compensation of certain
 officers" have instructed me to report the
 same back, with accompanying amendments
 and with the recommendation that as
 amended they do pass.

The Committee also
 had under consideration C. B. No. 15 "An
 act relating to fencing Railroads and erection
 of cattle guards", and have instructed me
 to report the same back with the
 recommendation that it be referred to
 a Special Committee.

J. E. Richards
 Chairman.

Mr. President:

Your Committee in
 printing have leave to report C. B. 30 "A bill
 for an act to amend Sections 77 and 81 of
 the Fifth Division of the Revised Statutes"
 C. B. No. 31 "An act to authorize the
 changing the names of towns and places."
 C. B. No. 32 "A bill for an act providing
 for the adoption of children."
 C. B. 34 "An act to amend Section
 304 of the Fifth Division of the Revised

Your Committee of the whole
 C. B. No. 18 "a bill for an act in relation to fees of county
 assessors beg to report the same correctly engrossed.
 Necessary. Chairman
 Mr. President

(Continued)

Statutes." And C. B. No. 35 "A bill for an act to restrict the use of poison for bait in killing wild animals." as correctly printed.

Intuition Chairman.

C. B. No. 18 was placed on calendar for third reading.

On motion of Kennedy, the amendments to C. B. No. 24 were adopted.

On motion of Kennedy, the amendments to H. B. No. 37 were adopted.

C. B. No. 24 and H. B. No. 37 were referred to Committee on Engrossment.

On motion of Kennedy, the recommendations of the Committee of the whole concerning C. B. No. 15 were adopted, and the bill was referred to a Select Committee, consisting of Thompson, Cardwell and Kennedy.

C. B. No. 30 was referred to Committee on Ways and Means.

C. B. No. 31 and C. B. No. 32 were referred to Committee on Judiciary.

C. B. No. 34 was referred to Committee on Education and Labor.

C. B. No. 35 was referred to Committee on Grazing and Stock-growing.

(Notices of introduction of bills were given as follows:

By Waters: "A bill entitled an act to provide for the levy and collection of taxes upon property of Railroad Companies in Montana Territory."

By Richards: "A bill for an act relating to Solicitors."

Kennedy introduced C. B. (No. 38) "A bill for an act concerning marriage." Read first and second times and referred to Committee on Printing.

The following communication from the House was received:

Council Journal Thirty eighth Day

House of Representatives

Helena Mt. February 15th 1887

Mr. President:

I am directed by the House to inform your Honorable Body, That:

H. Bills Nos. 24 and 40 have been laid in the table.

Notices were given as follows:

By Blake: "A bill for an act to provide for the organization of railroad corporations, and to regulate the operation thereof."

Also, an act authorizing the appointment of stenographers of the Judicial Council.

Also, "An act to amend Section 16 of the Fourth Division of the Revised Statutes of Montana."

Also:

"An act concerning the Education of deaf, mute and blind children"

By Muth: "A bill for an act concerning the registration of voters in incorporated cities"

By Thompson: "A bill to repeal Article 2 of the Fifth Division of the Revised Statutes of the Territory of Montana"

By Marshall: "A bill concerning fences"

Also:

"A bill for an act, concerning the alienation of mining property by corporations"

Page introduced H. B. No. 63
"A bill for an act to provide for preventing the evils of intemperance, by local option in any County in this Territory by submitting the question of prohibiting the sale of intoxicating liquors, to the qualified voters of such County, to provide penalties for its violation and other purposes."

Ordered printed.

The House has concurred in Council concurrent resolution providing for the printing of certain bills
David Marks Chief Clerk.

(Continued)

C. B. No. 18, was read the third time,
and passed by the following vote:

Ayes	Batchelder, Cardwell	Collins
	Holliday Hummel	Kennedy
	Sutherland Thompson	Waters
	Mr. President	10

Noes	Rickards	1
Absent	Pardee	1

Also agreed to.

On motion of Kennedy, the
Council adjourned until to-morrow
at 10 o'clock A.M.

Ruben L. Davis
Chief Clerk

Council Journal, Thirty ninth Day
 Council Chamber
 Helena Montana
 February 17th 1887

Council met at 10 A.M. pursuant to adjournment.

Mr. President in the Chair.
 Roll called. Quorum present.

Prayer by the Chaplain.

Journal of thirty eighth day read and approved.

Petitions were presented as follows.

By Sutherland. Petition of 76 residents of Wolf Creek and upper Judith Valley, Park County owning from 25 to 200 cattle each, asking for the repeal of an act for the better protection of live stock, approved March 12th 1885.

Received and ordered placed in file.

By Holliday. Petition of residents of Livingston, Gallatin County in relation to licenses for selling liquors. Received and referred to Committee on Ways and Means.

The following Reports were received.
 Mr. President.

Your Committee on Engraving to whom was referred C. B. No. 24 "A bill for act relating to the protection, employment and adoption of children", Council amendment to H. B. No. 37, beg to report them correctly engraved.

Holliday
 Chairman.

Mr. President,

Your Committee on Printing beg leave to report C. B. No. 36 "A bill for an act to provide for the appointment and prescribing the duties of a Public Examiner for the Territory of Montana" and C. B. No. 37 "A bill for an act to prohibit the sale of intoxicating liquors, outside the limits of any incorporated town or city or any legally established townsite; wherein is

(Continued)

Established a post office, to contain purses, as
correctly printed
Sutherland
Chairman.

Mr. President,

Your Committee on
Incorporations, to whom was referred H. B.
No. 31 "Concerning the Trusts of religious
corporations," herewith return the same with
recommendation that it do pass.
J. E. Rickers,
Chairman.

Mr. President:

Your Committee on Ways and
Means, to whom was referred C. B. No. 30
has had the same under consideration,
and report the same back with the
following amendments.

Strike out after the
word "with" in line eight, the word "two",
and insert instead the word "six" and
after the word "of" in line nine, the words,
"Eighty Thousand" and insert instead the
words "One Hundred and Fifty Thousand," and
with the above amendments, recommend that
it do pass.

Maters
Chairman

Mr. President:

Your Committee on
Grazing and Stock-growing, to whom was
referred C. B. No. 337 "An act to
restrict the use of poison for bait in killing
wild animals," have had the same under
consideration, and have amended the same,
by striking out in line 9, the words "or upon
(the range within five miles of: also in line 14
the word "lands"; also in line 15 the word
"range"; and as amended the Committee
recommend that the bill do pass.

Wendell
Chairman

Mr. President:

Your Special
Committee to whom was

Council Journal Thirty-ninth Day.

referred C. B. No. 25 "A bill for an act to provide for the erection of a Penitential prison, and the custody and labor of Penitential prisoners, has considered the same, and recommend that the amendments hereto annexed be adopted, and that as so amended, the bill do pass."

Hollins

Kennedy
Haters.

Mr. President,

Your Committee on Education and Labor to whom was referred C. B. No. (34) herewith return the same with recommendation that it do pass.

J. E. Richards
Chairman.

Mr. President!

Your Special Committee to whom was referred C. B. No. 6. "Bill for an act to amend article one of Chapter XV of the Fifth Division of the Revised Statutes of Montana, relating to Corporations for Industrial or Productive purposes, have had the same under consideration, and beg leave to report the bill back recommending that it do pass."

Concluded.

Chairman.

C. B. No. 24 and H. B. No. 37 were placed in calendar for third reading.

C. B. No. 36 was referred to Committee on Ways and Means.

C. B. No. 37 was referred to Committee on Education and Labor.

H. B. No. 31, C. B. No. 30, C. B. No. 33, C. B. No. 25, C. B. No. 34 - were placed in general order.

C. B. No. 6 was placed in calendar for third reading.

Bills were introduced as follows:
by Richards: C. B. No. 39 "A bill for an act to regulate soliciting by persons, requiring the payment of money in advance,

(Continued.)

on the delivery to them of property at the time of taking an order."

Read first and second times and referred to Committee on Printing.

By Waters: C. B. No. 40 "An act to provide for the levy and collection of taxes upon property of railroad companies, in Montana Territory."

Read first and second times and referred to Committee on Printing.

By Sutherland: C. B. No. 41 "A bill for an act to amend Section 968 of the Fifth Division of the Revised Statutes."

Read first and second times and on motion of Sutherland, referred to Committee on Towns and Counties.

By Collins: C. B. No. 42 "A bill for an act to create the office of Attorney General, to define his powers and duties and for other purposes."

Read first and second times, and referred to Committee on Printing.

Kennedy offered the following Resolution, and moved its adoption, which was lost.

Be it resolved by the Council, that all Committees of this body are instructed to report all bills now in their hands, within ten days after the passage of this resolution, and that all bills, hereafter referred to Committee, must be reported upon within two days after such reference.

The following communication from the House was received.

House of Representatives
Helena, MT.

February 16, 1887

Mr. President:

I am directed by the House to inform your Honorable body that the House has reconsidered C. B. R. relative to the printing of certain bills, and the same has been referred to the Committee on Printing.

Council Journal Thirty-ninth Day.

The House has concurred in Council amendments to H. B. No. 13.

The House has agreed to refer C. J. M. No. 1 to a Joint Committee consisting of 3 from the House and two of the Council and the Chair, has appointed as such Committee on the part of the House, Messrs. Hoffman Harwood and Alderson. The Memorial is herewith transmitted.

H. B. No. 23, 43, 45 and H. J. M. No. 8 under a suspension of the rules and C. J. M. No. 3, have passed the House and they are herewith transmitted. C. J. R. No. 5 and C. B. No. 23 have been lost and they are herewith transmitted.

David Mack
Chief Clerk.

On motion of Collins, the rules were suspended, H. B. No. 23 was read first ~~and~~ second times by its title, and referred to Committee on Mines and Minerals.

H. B. No. 43 was read first and second times, and referred to Committee on Agriculture and Manufactures.

H. B. No. 45 was read first and second times, and referred to Committee on Judiciary.

H. J. M. No. 8 was read first time and on motion of Kennedy the consideration of the Resolution was indefinitely postponed.

C. J. M. No. 3 was referred to Committee on Enrollment.

On motion of Kennedy, the request of the House for the reference of C. J. M. No. 1, to a Joint Committee was accepted, and Holliday and Waters were appointed such Committee to act on the part of the Council.

H. B. No. 37 was read the third time and passed by the following

(Continued.)

Vote:

(Ayes: Batchelder, Cardwell Collins
Holliday Hurdley Kennedy
Rickards Sutherland Thompson
Waters. Mr. President. 11

Noes None 0
Absent Parker 1

On motion of Collins, the title was amended so as to read, "A bill for an act to provide for Deputy County Treasurers, and to fix their compensation."

C. B. No. 24 was read the third time and on motion of Rickards, re-committed to Committee on Education and Labor.

C. B. No. 6 was read the third time and passed by the following vote.

(Ayes: Collins Cardwell Holliday
Hurdley Thompson Waters
and Mr. President. 7

Noes Batchelder, Kennedy Rickards
and Sutherland. 4

(Absent Parker. 1
On motion of Hurdley, Council took a recess until 2.30 P. M.

2.30 P. M.

Council resumed.

Mr. President in the Chair.

Roll called. Quorum present.

On motion of Holliday, the House was requested to return to the Council 7.30 P. M. No. 8.

By consent, the following Report was received.
Mr. President:

Your Committee on Education and Labor to whom was re-committed C. B. No. 24 "Relating to the protection employment and adoption of children," herewith return the same with accompanying amendments, with

Council Journal Thirtieth Day.

recommendation that as amended it do pass.

J. E. Rickards.
Chairman.

On motion of Rickards the amendments to C. B. No. 24 were adopted; and the bill and amendments referred to Committee on Engraving.

The Council resolved itself into Committee of the whole for the consideration of general orders.

Hollins in the Chair.
Council resumed.

Mr. President in the Chair.
The following Report was received.

Mr. President: I am instructed by the Committee of the whole to report that the bills hereinafter mentioned having been considered, are reported back with the following recommendations:

That H. B. No. 31 do pass.

That the amendments to C. B. No. 30, as reported by the Committee on Grazing and Stock growing be adopted; and that the bill be referred to a Special Committee for further amendments.

That C. B. No. 34 do pass.

That the amendments to C. B. No. 25 which have been adopted, by the Committee, and annexed to the bill returned herewith be adopted, and the bill be referred to the Committee on Engraving.

J. E. Hollins
Chairman.

On motion of Batchelder, H. B. No. 31 was placed on Calendar for third reading.

On motion of Batchelder, the amendments to C. B. No. 30, and recommendation of Committee of the whole in regard to the bill, were adopted.

H. B. No. 34 was referred to Committee

Continued!

in Engraving.

On motion of Collins the following amendment to C. B. (No. 25) was adopted:

Strike out of Sections 13 and 14 and all parts of said bill, the provisions that the officers be paid by the contractor, and that the Territory pay them as provided therein. Also,

Amend Section 15 so as to provide that said King and Ash, shall receive for the board of each convict the sum of twenty five cents per day.

On motion of Kennedy, the amendments to C. B. No. 25 recommended by Committee of the whole, were adopted, and the bill and amendments referred to Committee in Engraving.

By consent, the following report was received.

Mr. President:

Your Committee on Printing beg leave to report C. B. No. 38 "A bill for an act concerning marriage" as correctly printed.

Sustaining
Chairman.

C. B. No. 39 was referred to Committee in Judiciary.

On motion of Collins, the Council adjourned until tomorrow at 10 o'clock A. M.

Allen L. Davis
Chief Clerk

Council Journal Fortieth Day
 Council Chamber
 Helena Montana
 February 18th 1887

Council met at 10 o'clock A.M.
 pursuant to adjournment.

Mr. President in the Chair.
 Roll called. Quorum present.

Prayer by the Chaplain.

Journal of thirty ninth day,
 read and approved.

The following Petitions
 were presented:

By Kennedy: Petition of
 residents of Missoula County for law
 requiring that saloons, ~~street~~ billiard
 rooms, billiard halls, and barber shops etc.
 be closed on Sunday.

By Munday: Protest of
 colored residents of Helena M.T., against
 passage of bill known as the "Penitentiary
 Bill"

Received and ordered placed in file.

The following reports were
 received.

Mr. President:

Your Committee
 on Incorporations to whom was referred H.B.
 No. 28, herewith return the same, with
 recommendation that it do pass.
 J. E. Rickard
 Chairman.

Mr. President:

Your Committee on Engraving
 to whom was referred C. B. No. 24, "A bill
 for an act relating to the protection, employment
 and adoption of children," beg to report the
 same correctly engraved.

Holliday
 Chairman.

Mr. President:

Your Committee to whom
 was referred C. B. No. 1 "A bill for an act
 amending Section 529 of the Fifth Division

(Continued)

of the Revised Statutes of Montana, having had the same under consideration respectfully report the same back with the recommendation, that it do pass.

Waters
Chairman.

Mr. President:

Your Committee on Ways and Means to whom was referred Substitute for H. B. No. 25 have had the same under consideration, and report the same back with the recommendation that it do pass.

Waters
Acting Chairman.

Mr. President:

The Judiciary Committee has considered H. B. No. 6. "A bill for an act to repeal Sections 201 and 202 and to amend Sections 198, 199 and 200 of the Fourth Division of the Revised Statutes of Montana, and beg leave to report it back, and recommend it do pass.

Collins
Chairman.

Mr. President:

Your Committee of Conference, composed of members of both Houses, to whom was referred, C. J. M. (No. 1), have had the same under consideration, and respectfully report the Memorial back to the Council with the recommendation that it do pass without amendment.

M. W. Alderson	} of the House
C. W. Hoffman	
E. N. Harwood	
J. L. Holliday	} of the Council
E. C. Waters	

C. B. No. 35 was referred to Special Committee, consisting of Thompson Collins and Fitchett.

H. B. No. 28, C. B. No. 1
H. B. No. 25, and H. B. No. 6 were placed on general order.

Council Journal Friday Day.

C. B. No. 24 was placed on calendar for third reading.

On Motion of Collins, the recommendations of the Joint Committee of Conference on C. J. M. No. 1 were adopted, and the Memorial was ordered to be returned to the House.

Bills were introduced as follows:

By Richards: C. B. (No. 43)
"An act to amend an act entitled 'An act to organize and regulate the militia' approved March 10th 1883."

Read first and second times and referred to Committee on Printing.

By Cardwell: C. B. No. 44
"An act for the care and maintenance of orphan children."

Read first and second times and referred to Committee on Ways and Means.

The following communication from the House was received:

House of Representatives
Mexico City, July 17th 1887

Mr. President: I am directed by the House to inform your Honorable body,

That: The House concurs in the first amendment to H. B. No. 10 and refuses to concur as to the second, and respectfully ask the Council to recede therefrom.

The House does not concur in Council amendments to H. B. No. 1 and respectfully asks the Council to recede.

H. B. No. 16 has been laid on the table.

Notices were given as follows:
By Seoby: "A bill for an act to provide for the disposition of unpaired Divine."

By Hoffman: "A bill to amend

(Continued)

Sections 2 and 3 of an act entitled an act to protect game, fur bearing animals and fish." Approved March 18th 1883.

Bills were introduced as follows

By Seobey, H. B. No. 72 "An act to amend Section 106 and 110 of the Fifth Division of the Revised Statutes of Montana Territory." Ordered printed.

By Blake: H. B. No. 73 "An act authorizing the appointment of stenographers by the District Courts." Ordered printed.

By Armstrong: H. B. No. 74 "An act to encourage the construction of canals in the Territory of Montana." Ordered printed.

By Marshall: H. B. No. 75. "An act to create the office of Attorney General." Ordered printed.

H. Bills No's 51 and 61 have passed the House and they are herewith transmitted.

As per request, H. J. M. No. 8 is herewith returned.

David Mark,
Chief Clerk.

On motion of Kennedy, the Council refused to recede from amendment to H. B. No. 10; and asked for a Committee of Conference thereon. The Chair appointed Collins and Kennedy to act as such Committee on the part of the Council.

H. J. M. No. 8 was on motion of Holliday, read second time and referred to Committee on Public Lands.

On motion of Richards, the Council refused to recede from amendment to H. B. No. 1 and requested that a Committee of Conference thereon be appointed, and Richards and Waters were appointed to act as such Committee on the part of the Council.

H. B. No. 51 was read first and second time, and referred to Committee on Judiciary.

Council Journal Fortieth Day.

No. B. No. 61 was read first and second times, and referred to Committee on Federal Relations.

On motion of Richards, the rules were suspended, and Parker was granted leave of absence for Tuesday, Wednesday and Thursday of this week.

The following communication from the House was received.

House of Representatives

Helena M.T. Feb'y 18th 1887

Mr. President:

I am directed by the House to inform your Honorable body, that:

A substitute for C. B. No. 11 was this day reported back by the Special Committee of members from Gallatin County. Substitute adopted: rules suspended: substitute read third time by title and passed: title agreed to. Substitute and original bill are herewith transmitted.

David Marks

Chief Clerk.

The House substitute for C. B. No. 11 was read.

On motion of Collins, the Substitute was adopted and referred to Committee on Enrollment.

No. B. No. 31 was read the third time and passed by the following vote:

Ayes.	Batchelder	Cardwell	Collins
	Holladay	Kennedy	Parker
	Rickards	Sutherland	Thompson
	Naters,	Mr. President.	

11

Noes

None

0

Absent

Kennedy

1

Not agreed to.

In conformity to C. J. R. No. 6, the Chair absented. Thompson and Kennedy, by act of the part of the Council, as the Special Joint Committee of the Council and House to confer with officials of Dakota Territory, as to the adoption of measures looking to the

(Continued).

prevention and suppression of contagious diseases among live stock etc.

By consent the following Report was received.

Mr. President:

The Judiciary Committee has carefully considered C. B. No. 31 "An act to authorize the changing the names of persons and places." Also C. B. No. 32 "An act providing for the adoption of children", and respectfully recommend that the bills do pass.

Collins

Chairman.

C. Bills Nos 31 and 32 were placed on general orders.

On motion of Collins, the rules were suspended, C. B. No. 24 was read the third time by its title, and passed by the following vote.

(Ayes:)	Batchelder.	Cardwell,	Collins
	Holladay	Hornaday	Kennedy
	Parish	Rickards	Sutherland
	Thompson	Waters	

Mr. President:

12

(Noes—None

0

Rolls agreed to

The Council resolved itself into Committee of the whole for the consideration of general orders. Kennedy in the Chair.

Council resumed

Mr. President in the Chair.

On motion of Waters, Batchelder was granted leave of absence, until Monday next. On motion of Rickards, the Council took a recess until 2. P. M.

2. P. M.

Council resumed

Mr. President in the Chair.

Roll called. Quorum present.

Rickards, by consent

introduced, C. B. No. 45 "An act relating to the formation of municipal corporations"

Council Journal Thursday.

On motion of Rickards, the rules were suspended, the bill was read first and second times by its title and referred to Committee on Printing.

The Council resolved itself into Committee of the whole for the consideration of general orders.

Pardee in the Chair.

Council resumed.

Mr. President in the Chair.

Mr. President, announced signing H. B. No. 13 and H. B. No. 27.

The Council resolved itself into Committee of the whole for the consideration of general orders.

Pardee in the Chair.

Council resumed.

Mr. President in the Chair.

The following Report was received.

Mr. President:

Your Committee of the whole, has had under consideration H. B. No. 30, "A bill for an act to amend Sections 77 and 81 of the Fifth Division of the Revised Statutes, and would recommend, its recommitment to the Committee on Ways and Means, with instructions to report a bill providing for the salaries of Territorial Treasurer and Territorial Auditor.

(Also, H. B. No. 28 an act to amend Section 310 of the Fifth Division of the Revised Statutes, and would recommend its reference to a Special Committee,

Kennedy

Chairman.

On motion of Kennedy, the recommendations of the Committee were adopted.

H. B. No. 30 was recommended to the Committee on Ways and Means.

H. B. No. 28, was referred to a Special Committee consisting of Waters, Goodwin and Thompson.

(Continued)

By consent the following Report was received:

Mr. President:

The Conference Committee appointed by the Council and House, to consider H. B. No. 3 "An act concerning the sale of intoxicating liquors to the indigent poor," and the amendment of the Council to said bill, inserting the word "knowingly" therein, have had said bill and amendment under consideration, and a majority of said Committee, have agreed to recommend that the bill be passed, without the said amendment.

W. H. Sullivan

S. L. Holliday

Council Committee of Conference.

Cardwell moved that the recommendation of the report be adopted, which was lost by the following vote:

(Yes.)	Cardwell	Holliday	Sullivan	
	Thompson,	Mr. President		5
No	Collins	Holliday	Kennedy	
	Parde	Pickards	Waters	6
(Absent)	Batchelder			1

(On motion of Kennedy, the Council refused to decide from the recommendation.)

The following Report was received:

Mr. President:

I am instructed by the Committee of the whole to report that the bills hereinafter mentioned, as having been considered, and with the following recommendations,

That H. B. No. 4 "An act amending Section 5207 of the Fifth Division of the Revised Statutes of Montana, do pass."

That the amendments to H. B. No. 25 annexed to the bill and herewith reported, be adopted, and that the bill as amended do pass.

That H. B. No. 6 "An act to repeal Sections 201 and 202 and to amend Sections 198, 199 and 200 of the Fourth Division

Council Journal Fifth Day.

of the Revised Statutes of Montana, do pass.

That C.B. No. 31 be amended by inserting in line 3 of Section 3 before the word "Town" the word "County".

and that as amended the bill do pass.

That C.B. No. 32 "A Bill for an act providing the adoption of Chitchee, do pass.

J. K. Parker
Chairman.

On motion of Kennedy, the amendments to H. B. No. 25 were adopted.

On motion of Kennedy, the amendments to C.B. No. 31 were adopted.

C. Bills Nos 1-31 and 32, and the amendments to H. B. No. 25 were referred to Committee on Engraving.

H. B. No. 6 was placed in calendar for third reading.

The following communications from the House, with accompanying Resolution were received.

Mr. President: I am directed by the House to inform your Honorable Body, that the Resolution, a copy of which is herewith enclosed, has been adopted by the House.

David Mack
Chief Clerk.

Be it resolved by the House, the Council enacting, that the two Houses stand adjourned from 12 o'clock to morrow, until 2 P. M. Wednesday, the 23rd inst.

It is accordingly resolved that the foregoing Resolution be adopted, which was done by the following vote:

Ayer	Holliday	Kennedy	Winn	5
	Nichols	Waters		
Novel	Collins	Ward	Seether	
	Thompson	Mr. President		5
Threat	Baecheler	Parker		2

(Continued)

On motion of Collins, the
Council adjourned until to morrow at
10 o'clock A.M.

Reuben L. Davis
Chief Clerk

Council Journal Forty-fifth Day

Council Chamber Helena
Montana Feb. 23rd 1887

See page 221
for this
correct place

Council met at 2 o'clock P.M.
pursuant to adjournment.

Roll called.

No quorum being present, on motion
of Kennedy, the Council adjourned until
to morrow at 10 o'clock A.M.

Council Journal Fortyfirst day.

Council Chamber

Helena Montana

February 19th 1887

Council met at 10 o'clock A. M.
pursuant to adjournment.

Mr. President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal of fortyfirst day,
read and approved.

Sutherland presented petition
of 73 residents of Park County for amendment
of law in regard to Board of Stock
Commissioners &c.

Received and ordered
placed in file.

The following Reports were
received.

Mr. President:

Your Committee
on Engravesment to whom was referred
Councils amendments to H. B. No. 23, "An
act defining the compensation for County
and other officers" beg leave to report them
correctly engrossed.

Holliday
Chairman.

Mr. President:

Your Committee on
Engravesment, to whom was referred H. B.
No. 28 "An act to provide for the election
of a Territorial judge, and the custody and
care of Territorial prisoners" C. B. No. 34 "A
bill for an act to amend Section 3044 of the
Fifth Division of Revised Statutes" beg to
report them correctly engrossed.

Holliday
Chairman.

Mr. President:

Your Committee on
Federal Relations, to whom was referred
H. B. No. 61 "An act to amend an act
enacted and act to enable the County of Lewis and

(Continued)

Clarke to erect a Court House, have had the same under consideration and recommend that it do pass.

Hendley
Chairman.

Mr. President:

Your Committee on Enrollment to which was referred C. B. 11 to create Park County, and C. B. No. 3 "relative to pioneer settlers of the Yellowstone National Park" beg leave to report them correctly enrolled.

Kennedy
Chairman.

Mr. President:

Your Committee on Public Lands, to whom was referred H. J. M. No. 8, ask to report, they have examined the same and recommend that it do pass.

S. L. Holliday

W. H. Sutherland

Committee

Mr. President:

Your Printing Committee beg leave to report C. B. No. 33 "An act relating to assessment and levy of taxes as correctly printed."

Sutherland

Chairman.

H. B. No. 25, C. B. No. 25 and C. B. No. 31, were placed on calendar for third reading.

H. B. No. 61 and H. J. M. No. 8 were placed in general orders.

C. B. No. 33 was referred to Committee on Ways and Means.

Rickards by consent and without previous notice introduced C. B. No. 116 "A bill for an act to provide for the establishing of Graded School Districts" Read first and second times and referred to Committee on Printing.

Sutherland, introduced C. B. No. 47 "A bill for an act to suppress and prevent the dissemination of scar and contagious

Council Journal Friday Day
diseases among sheep." Read first and
second times and referred to Committee on
Printing.

Mr. President announced the
signing of C. J. M. No. 3 and C. B.
No. 11.

The following communication from
the House was received:

House of Representatives
Helena M.T. February 18th 1887
Mr. President:

I am directed by the
House to inform your Honorable body,
That:

Notices were given as follows:

By Marshall "A bill for an act to
amend an act creating the office of
County Attorney."

By Johnson "A bill to
prevent the plucking of dogs and
other domestic animals, and defining
punishment for the same."

Bills were introduced as
follows:

By Hoffman H. B. No. 76 "An
act to amend Sections 2 and 3 of an act
entitled an act to protect game, fur
bearing animals and fish." Approved Mar.
8th 1883. Ordered printed.

By Thompson H. B. No. 77 "A
bill to prevent double taxation" Ordered
printed.

H. J. R. No. 2 and H. B. No.
117 were read a third time and lost.

H. Bills Nos 46 and 53 and
H. B. No. 14 as amended, have passed the
House, and they are herewith transmitted.

Mr. Speaker has signed H. B. No. 37.

The chair appointed on the part
of the House as the Joint Committee to
visit the Territorial Insane Asylum and
Penitentiary. Messrs Barker, Seabey,
Thompson, Hoffman and Page.

The chair appointed on the

(Continued)

part of the House on the Joint Commission to meet the Dakota Commission.

Messrs. Johnson, Harwood and Phipps.

The chair appointed as Conference Committee on the part of the House on H. B. No. 10 Messrs. Mantle and Thompson.

The chair appointed as Conference Committee on the part of the House on H. B. No. 1 Messrs. Blake and Harwood.

Devised. Marks

Chief Clerk.

On motion of Pardee, the amendments to H. B. No. 141 were concurred in and the bill was referred to Committee on Enrollment.

On motion of Collins, the vote taken on yesterday on motion to adopt House Concurrent Resolution to adjourn from to day at noon until Wednesday next at 2 P. M. was reconsidered, and said Resolution was adopted.

H. B. No. 416 was read first and second times and referred to Committee on Grazing and Stock growing.

H. B. No. 53 was read first and second times and referred to Committee on Judiciary.

H. B. No. 6 was read the third time and passed by the following vote:

(Ayes	Cardwell	Collins	Holliday	
	Winchley	Kennedy	Pardee	
	Rickards	Sutherland	Thompson	
	Waters	Mr. President		11

(Noes None 0

(Absent Batchelder

Pitts agreed to.

H. B. No. 25, was read the third time, and passed by the following vote:

Ayes	Cardwell	Collins	Holliday	
	Winchley	Kennedy	Pardee	
	Rickards	Sutherland	Thompson	
	Waters	Mr. President		11

(Noes None 0

(Absent Batchelder

Pitts agreed to.

Council Journal Friday

C. B. No. (3) was read the third time and passed by the following vote:

Ayes	Cardwell	Collins	Holliday	
	Hundley	Kennedy	Parker	
	Rickards	Truhlin	Thompson	
	Waters	Mr. President		11
Noes	None			0
Absent	Batchelder			1

On motion of Collins, the title was amended so as to read "An act concerning the education of deaf mutes and blind children"

In conformity to C. B. Resolution,

Mr. President appointed Holliday Cardwell and Waters to act on the part of the Council upon the Joint Committee to visit the Territorial Insane Asylum and Penitentiary.

C. B. No. 25 was read the third time.

On motion of Collins, the bill was amended by striking out of Section line the words "Seventy five" and inserting in lieu thereof the word "Eighty."

Parker moved that the Council adjourn, which was lost.

C. B. No. 26 was passed by the following vote:

Ayes	Cardwell	Collins	Holliday	
	Kennedy	Truhlin	Thompson	
	and Waters			7
Noes	Hundley	Parker	Rickards	
	Mr. President			4
Absent	Batchelder			1

On motion of Collins, the title was amended so as to read "A bill for an act to provide for the erection of a Territorial Prison and the custody and labor of Territorial convicts."

The following Report was received:

(Continued.)

Mr. President:

The Judiciary Committee has considered H. B. No. 45, "To amend an act concerning fees of jurors in civil cases" (Approved Feb. 21" 1888. and recommends the passage of the same.

Also, H. B. No. 51 "an act to amend an act entitled an act limiting the compensation of certain officers, herein named." Approved March 12" 1888; and recommends that it do not pass.

Also, C. B. No. 38 "An act concerning manways and recommends that the word "five" in Section 10 be stricken out, and "two" inserted, and as so amended, we report the bill for the action of the Council.

Collins

Chairman.

H. B's No's 45 and 51 and C. B. No. 38 were placed on general orders.

On motion of Kennedy, the Council adjourned until Wednesday next at 2 o'clock P. M.

Ruben L. Davis

Chief Clerk

Council Journal Fortyfifth day:

Council Journal

Helena Montana

February 23rd 1889.

Council met at 2 o'clock P. M.
pursuant to adjournment.

Mr. President in the Chair.

Roll called.

No quorum being present, on motion of Kennedy, the Council adjourned until to-morrow at 10 o'clock A. M.

Ruben L. Davis

Chief Clerk

Council Journal Forty-sixth Day
 Council Chamber
 Helena, Montana
 February 24th 1887

Council met at 10 o'clock
 (A. M. pursuant to adjournment.

Mr. President in the Chair.
 Roll called. Quorum present.

Prayer by the Chaplain.

Journal of forty-fifth day
 read and approved.

Petitions were presented
 as follows:

By Kennedy; from residents of
 Missoula County; petitions for law requiring
 saloons and business houses, to be
 closed on Sunday.

(Also, Petition for law prohibiting
 gambling.

By Collins; protest of citizens of
 Choteau County against division of
 said County.

Petitions received and
 ordered placed in file.

The following Reports were
 received.

Mr. President:

Your Committee on
 Enrollment, begs leave to report that
 C. B. No. 11 "For the creation of Park County"
 was handed to the Governor for his
 consideration at 2 P. M., Feb. 19th 1887

Kennedy
 Chairman

Mr. President:

Your Committee on
 Enrollment do respectfully refer C. B.
 No. 14, "Providing for the punishment of
 persons having or receiving stolen property
 in certain cases", begs leave to report it
 correctly enrolled.

Kennedy
 Chairman.

(Continued)

Mr. President:

Your Committee on Printing begs leave to report C. B. No. 46, "A bill for an act to provide for the establishing of graded school districts." C. B. No. 43 "A bill for an act to amend an act entitled an act to organize and regulate the Militia" Approved March 10" 1885. C. B. No. 42 "An act to create the office of Attorney General, to define his powers and duties and for other purposes." C. B. No. 39 "A bill for an act to regulate soliciting by persons, requiring the payment of money in advance, or the delivery to them of property at the time of taking an order." and C. B. No. 47 "A bill for an act to suppress and prevent the dissemination of scab and contagious diseases among sheep," as correctly printed.

Testatur
Chairman.

Mr. President:

Your Committee on Education and Labor to whom was referred C. B. (No. 37, herewith return the same without any recommendation as to its final disposition)

J. E. Rickards.
Chairman.

Mr. President:

Your Committee on Grazing and Stock-growing to whom was referred C. B. (No. 46) "An act to prevent rams running at large," have had the same under consideration, and beg leave to report it back with recommendation that it do pass.

Wendell
Chairman.

Mr. President:

Your Committee on Engrasement to whom was referred C. B. No. 1 "A bill for an act amending Section

Council Journal Fortysixth Day.

529 of the Fifth Division of the Revised Statutes of Montana." C. B. No. 31 "A bill for an act to authorize the changing the names of persons and places."

C. B. No. 32 "A bill for an act providing for the adoption of children," beg leave to report them correctly engrossed.

Holliday
Chairman.

Mr. President:

The Judiciary Committee has considered H. B. No. 54 to compile and arrange the general laws of the Territory of Montana in force at the commencement of the 15th regular session of the Legislative Assembly on the 10th day January A. D. 1887, and beg to recommend its passage.

Collins
Chairman.

Mr. President:

Your Special Committee have considered H. J. M. No. 7 and beg respectfully to recommend that it do pass without amendment.

Holliday
Chairman.

C. B. No. 37, H. Bills Nos 46 and 54 were placed in general orders.

H. Bills Nos 31 and 32 and H. J. M. No. 7 were placed in calendar for third reading.

Notices of introduction of bills were given as follows:

By Rockards: "A bill for an act to declare and protect the legal and personal identity of married women."

(Also, "A bill for an act to place in matters of insane asylums under the protection of the laws by securing to them their personal rights."

(Also, "A bill for an act creating a

(Continued)

Territorial board of health."

By Hensdley: "A bill concerning fees of expert witnesses and jurors."

A communication was received from the Governor, announcing his approval of C. B. No. 11.

C. B. No. 43 was referred to Committee on Military Affairs."

C. Bills Nos 39, 42 and 47 were referred to Committee on Judiciary.

C. B. No. 46 was referred to Committee on Education and Labor.

Hensdley introduced,

C. J. R. No. 8, which was read first and second times and referred to Committee on Ways and Means.

The following communications from the House were received

House of Representatives

Wesley N. D. February 19th 1887

Mr. President:

I am directed by the House to inform your Honorable Body, That:

(Notices of the introduction of bills were given as follows:

By Gorham: "A bill for an act to create the County of Cascade, to define its boundaries and to provide for its organization."

By Taylor: "A bill to create the County of Pelton and to elect officers thereof."

By Holt: "An act to prevent diseased animals running at large on the public range."

By Taylor: "An act to amend an act entitled an act for the better protection of the Live Stock interests of the Territory" Approved, March 12th 1888.

The Governor has this day approved H. Bills Nos 13 and 37.

Mr. Speaker has signed C. B. No. 11 and C. J. M. No. 3.

Council Journal Forty sixth Day.

C. B. No. 22 and C. J. M. No. 1 and
H. Bills Nos 29 and 34 have passed the
House and they are herewith transmitted.

David Marks

Chief Clerk.

House of Representatives

Wesley, Md.

February 23rd 1887

Mr. President:

I am directed by the
House to inform your Honorable
Body,

That, Hoffman gave notice of a
"Bill" Regarding the sale of poisonous
drugs"

Bills were introduced as follows:

By Marshall: H. B. No. 78 "A Bill for
an act to amend an act creating the
Office of County (Attorney". Ordered printed.

By Taylor: H. B. No 79. "An
act to create the County of Peton and
for the election of Officers thereof."

H. B. No. 56 has passed the
House and the same is herewith
transmitted.

H. B. No. 70 has been laid on
the table.

David Marks

Chief Clerk.

C. B. No. 22 and C. J. M. No. 1
were referred to Committee on Enrollments.

By consent, the following Report
was received.

Mr. President:

The Judiciary Committee
has considered H. B. No. 53 "A Bill for
an act concerning obscene literature,"
and recommend that it do pass.

Collins

Chairman

H. B. No. 53 was placed on
general order.

Continued.)

H. B. No. 29 was read first and second times and referred to Committee on Incorporations.

H. B. No. 34 was read first and second times and referred to Committee on Agriculture and Manufactures.

H. B. No. 36 was read first and second times and referred to Committee on Towns and Counties.

Mr. President announced the signing of C. B. No. 14.

H. J. M. No. 7 was read the third time and passed by the following vote:

Ayes.	Batchelder	Collins	Cardwell	
	Holliday	Wendley	Pardee	
	Thompson	Waters		8
Noes	Kennedy	Rickards	Sutherland	
	Mr. President			4

Pitto agreed to.

C. B. No. 1 was read the third time, and passed by the following vote:

Ayes	Batchelder	Collins	Cardwell	
	Holliday	Wendley	Rickards	
	Pardee	Sutherland	Thompson	
	Waters	Mr. President.		11
Noes	Kennedy			1

On motion of Collins, the title was amended so as to read, "An act amending Section 529 of the Fifth Division of the Revised Statutes of Montana relating to Elections."

C. B. No 31 was read the third time and passed by the following vote:

Ayes:	Batchelder.	Collins	Holliday	
	Wendley	Kennedy	Pardee	
	Rickards	Sutherland	Thompson	
	Waters	Mr. President		11
Noes	Cardwell			1

Pitto agreed to.

Council Journal Fortyninth Day.

H. B. No. 32 was read the third time and passed by the following vote:

Ayes:	Batchelder	Collins	Cardwell	
	Holladay	Hurdley	Kennedy	
	Pardue	Rickards	Sublette	
	Thompson	Waters	and	
	Mr. President.			12
Noes	None			0

Pitts agreed to.

The Council resolved itself into Committee of the whole, for the consideration of general orders.

Rickards in the Chair.

Council resumed.

Mr. President in the Chair.

The following Report was received.

Mr. President:

The undersigned is instructed by the Committee of the whole to report back the bills hereinafter mentioned as having been considered and with the following recommendations.

That H. B. No. 61 "An act to amend an act entitled 'An act to enable the County of Lewis and Clarke to erect a Court House' do pass.

That H. J. M. No. 8 "Concerning the Ft. Ellis Military Reservation," do pass.

That, H. B. No. 48 "An act to amend an act entitled 'An act concerning fees of Jurors in Civil cases' (Approved February 21st 1881," do pass.

That H. B. No. 31 "A bill for an act to amend an act entitled 'An act limiting the compensation of certain officers herein named,' Approved March 12th 1885, do not pass.

J. C. Rickards
Chairman.

(Continued)

H. B. No. 61, H. J. M. No. 8, H. B. No. 45, and H. B. No. 51 were placed on calendar for third reading.

Council took a recess until 2 o'clock P. M.

2. P. M.

Council resumed

Mr. President in the Chair.

Roll called. Quorum present.

The Council resolved itself into Committee of the whole, for the consideration of general orders.

Waters in the Chair.

Council resumed.

Mr. President in the Chair.

The following Report was received.

Mr. President:

I am instructed by the Committee of the whole to report back the bills hereinafter mentioned, with the following recommendations.

That H. B. No. 38 "A bill for an act concerning marriages" be referred to a Select Committee for amendment.

That H. B. No. 37 be referred to a Select Committee of which Pardee shall be Chairman.

That H. B. No. 46 and H. B. No. 53 do pass.

E. C. Waters

Chairman.

On motion of Kennedy, the recommendations of the report in regard to H. B. No. 38 and H. B. No. 37 were adopted.

H. B. Nos 46 and 53 were placed in calendar for third reading.

H. B. No. 37 was referred to a Select Committee, consisting of Pardee Thompson and Collins.

H. B. No. 38 was referred to a Select Committee, consisting of Kennedy, Collins and Waters.

Council Journal (Fortysixth Day.

On motion of Colpitts, H. B. No. 54, was taken from general orders, and placed on calendar for third reading.

On motion of Mansdley, the Council adjourned until to-morrow at 10 o'clock A. M.

Ruben L. Davis
Chief Clerk

Council Journal. Forty seventh Day.

Council Chamber

Helena, Montana

February 25th 1887

Council met at 10 o'clock A.M.
pursuant to adjournment.

Mr. President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal of forty sixth day
read and approved.

Richards presented petitions
of Natural Park Assembly No. 4492,
A. M. Coates Local Assembly No. 3698 of
South Butte and Pioneer Assembly No. 2330
of R. of L. for enactment of more effective
laws in regard to opium dens. Read
and ordered placed on file.

Thompson presented petition of
tax payers of Butte County for law
changing boundaries of School District No. 4.
Read and referred to Committee on
Education and Labor.

Collins presented
protest of residents of Choteau County
against division of the County.

Read and ordered placed on file.

Waters presented remonstrance
against passage of Section 8 of H. B.
No. 36 in regard to licenses for selling
liquor.

Read and referred to Committee
on Ways and Means.

The following Reports
were received.

Mr. President:

Your Committee
on Enrollment begs leave to report that
H. B. (No. 11), "Providing for the punishment
of persons having or receiving stolen property in
certain cases," was handed to the Governor
for his consideration at 3. P. M. Feb. 24
1887.

Kennedy, Chairman

Council Journal Fortymonth Day

Mr. President:

Your Committee on Education and Labor, to whom was referred C. B. No. 46 relating to the Establishing of Graded School Districts, herewith return the same with the recommendation that it do pass.

J. E. Rickards.
Chairman.

Mr. President:

Your Committee on Printing beg leave to report C. B. No. 45, "A bill for an act relating to the formation of Municipal Corporations," as correctly printed.

Sutherland
Chairman.

Mr. President:

Your Committee on Towns and Counties to whom was referred H. B. No. 44, entitled an act to amend Section 380 of the 5th Division of the Revised Statutes of Montana, have had the same under consideration, and beg leave to report the same back without recommendation.

Cardwell
Chairman.

Mr. President:

Your Committee on Agriculture and Manufactures, to whom was referred H. B. No. 43 "entitled a bill for an act to amend an act entitled an act concerning fences," (Approved March 10th 1885,) have had the same under consideration, and beg leave to report the bill back with the recommendation that it do pass.

Cardwell
Chairman.

Mr. President:

Your Committee on Ways and Means to whom was referred H. B. (No. 41) "An act for the care and maintenance of orphan children,"

(Continued)

have had the same under consideration, and beg leave to report the same back for action of the Council.

J. K. Pardee
Chairman

Mr. President:

Your Committee on Ways and Means to whom was referred C. J. R. No. 8, "To compensate D. H. Weston for services rendered the Territory"; beg leave to report favorably in same with recommendation that it do pass.

J. K. Pardee
Chairman.

Mr. President:

Your Committee on Ways and Means to whom was referred, C. B. No. 36 "A bill for an act to provide for the appointment and to prescribe the duties of a Public Examiner for the Territory of Montana," having had the same under consideration, beg leave to report favorably in same, with recommendation that it do pass.

J. K. Pardee
Chairman

Mr. President:

Your Committee on Elections to whom was referred H. B. No. 112, "A bill for an act relating to elections," having had the same under consideration, report the same back with the recommendation that it do not pass.

Staten
Chairman.

Mr. President:

The Judiciary Committee has considered C. B. No. 47 "To suppress and prevent the dissemination of scab and contagious diseases among sheep" and C. B. No. 42 "To create the office of Attorney General" and C. B. No. 39 "To regulate soliciting by persons requiring the payment of money in advance" and respectfully

Council Journal Fortyseventh Day

Recommend, that said Bills be placed in general orders for the consideration of the Council.

Collins

Chairman.

Mr. President:

Your Special Committee to whom was referred C. B. No. 13, have had the same under consideration, and recommend the following amendment, and when so amended, recommend its passage. "Add the following at the end of Section 1. "Provided, That the Counties of Dawson, Custer, Yellowstone, Choteau and Lewis and Clarke, be and are hereby exempted from the provisions of this act.

Thompson

Kennedy

Cardwell.

C. Bills Nos 416 and 45, H. Bills Nos. 44 and 43, C. B. No. 44, C. J. R. No. 8, C. B. No. 36, H. B. No. 42 and C. Bills Nos 47, 42, and 39 were placed in general orders.

On motion of Kennedy, the amendments to C. B. No 13 were adopted, and the bill referred to Committee on Engrossment.

Cardwell gave notice of introduction of a bill to permanently fix and determine the boundary line of Jefferson County and to provide for the appointment of Commissioners therefor.

Sutherland, by request, introduced C. B. No. 418 "A bill for an act to restrict the duties of County Clerks, Probate Judges, and Justices of the Peace."

Read first and second times and referred to Committee on Printing.

Rickards, introduced C. B. No. 419 "A bill for an act to declare and protect the legal and personal identity of married women."

Read first and second times,

(Continued)

On motion of Collins, the rules were suspended, the bill was read the third time and passed by the following vote:

Ayes: Batchelder Collins Cardwell
Holladay Hurdley Pardee
Rickards Sutherland Thompson
Waters, Mr. President 11

Noes: Kennedy 1

Pitts agreed to.

Rickards, introduced C. B. No. 50,
"A bill for an act to place the inmates
of insane asylums under protection of the
laws by securing to them, postal rights."
Read first time.

On motion of
Cardwell, the rules were suspended, the
bill was read the second and third times
by its title, and passed by the following vote:

Ayes: Batchelder Cardwell Collins
Holladay Hurdley, Rickards
Sutherland Thompson Waters
Mr. President. 16

Noes: Kennedy Pardee 2

Pitts agreed to.

Hurdley introduced C. B. No.
57, "A bill for an act concerning spent
victims and jurors."

Read first and second
times and referred to Committee on
Judiciary.

A communication was received
from the Governor, announcing his
approval of C. B. No. 14.

The following communication
from the House was received

House of Representatives
July 24th 1887

Mr. President:

I am directed by the
House to inform your Honorable Body,
That;

Marshall gave notice of a bill fixing
the compensation of Sheriffs for dieting
prisoners.

Council Journal Fortyseventh Day

Bills were introduced as follows:

By Hoffman: H. B. No. 80 "An act regarding the sale of poisonous drugs." Ordered printed.

By Holt: H. B. No. 81 "An act to prevent diseased animals running at large on the public range." Ordered printed.

By Johnson: H. B. No. 82 "A bill to prevent the poisoning of dogs, and other domestic animals, and to define the punishment for the same" Ordered printed.

By the Committee on Incorporations H. B. No. 83 "A bill for an act concerning Savings Banks and Trust Deposit and Security Associations" Ordered printed.

Mr. Speaker, has signed C. B. No. 14 and H. B. No. 31.

H. Bills Nos 19 and 69 were read a third time and lost.

C. B. No. 21, as amended, H. Bills Nos 41 and 71 have passed the House and are herewith transmitted.

Dressed Marks

Chief Clerk

Continuation of Collins, C. B.

No. 21 was ordered returned to the House for correction of engrossment of amendments.

H. B. No. 41, was read first and second times and referred to Committee on Judiciary.

H. B. No. 71, was read first and second times and referred to Committee on Judiciary.

H. J. M. No. 8 was read the third time and passed by the following vote.

Ayes Cradwell Holterday Cundley
Sutherland Shankam Waters

Mr. President

Noes Batchelder Collins Kennedy
Vance Richards

Vote agreed to—

(Continued.)

No. B. No. 115 was read the third time and passed by the following vote:

(Ayes)	Batchelder	Cardwell	Collins	
	Holladay	Hendley	Kennedy	
	Rickards	Sutherland	Thompson	
	Waters	Mr. President		11
Noes	None			0
Absent	Pardee			1

Pile agreed to.

Mr. President announced the signing of No. Bills Nos. 6, 25 and 31.

On motion of Kennedy the rules were suspended, No. B. No. 54 was read the third time by its title and passed by the following vote:

(Ayes)	Batchelder	Cardwell	Collins	
	Holladay	Kennedy	Pardee	
	Rickards	Sutherland	Thompson	
	Waters	Mr. President		11
Noes	Hendley			1

Pile agreed to.

No. B. No. 46 was read the third time and passed by the following vote:

(Ayes)	Batchelder	Collins	Holladay	
	Hendley	Kennedy	Pardee	
	Rickards	Sutherland	Thompson	
	Waters	Mr. President		11

(Noes)	Cardwell			1
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Pile agreed to.

No. B. No. 51 was read the third time and lost by the following vote:

(Ayes)	Kennedy	Waters		2
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(Noes)	Batchelder	Cardwell	Collins	
	Holladay	Hendley	Pardee	
	Rickards	Sutherland	Thompson	
	Mr. President			10

No. B. No. 33 was read the third time and passed by the following vote:

(Ayes)	Batchelder	Cardwell	Collins	
	Holladay	Hendley	Kennedy	
	Pardee	Rickards	Sutherland	
	Thompson	Waters	and	
	Mr. President			12

Pile agreed to.

Council Journal Poyzsouth Day

H. B. No. 61, was read the third time and passed by the following vote:

(Ayes) Batchelder, Cardwell Collins
Holliday Hummel Kennedy
Perrin Richards Sutherland
Thompson Waters and
Mr. President. 12

Pitts agreed to.

On motion of Collins, the Council took a recess until 2 o'clock P. M.

2. P. M.

Council resumed.

Mr. President in the

Chair.

Roll called Quorum present.

The following Report was received

Mr. President:

Your Committee on Enrollment to which was referred C. J. M. No. 1, "asking for an appropriation for the Yellowstone National Park", C. B. No. 22 "A bill for an act to encourage tree planting and arboriculture in Montana." beg to report them correctly Enrolled.

Kennedy Chairman.

Kennedy, by consent presented petitions, of residents of Missoula County, for law requiring saloons and business houses to be closed, on Sunday; and for law prohibiting gambling. Orders placed on file.

The Council resolved itself into Committee of the whole for the consideration of general orders. Kennedy in the Chair.

Council resumed.

Mr. President in the Chair.

The following Report was received.

(Continued)

Mr. President:

Your Committee of the whole has had under consideration C. B. No. 46, "To provide for the establishing of graded school districts," and recommend its reference to a Special Committee for consideration of its merits. C. B. No. 45 "For the formation of Municipal Corporations," has also been under consideration, and the Committee asks further time upon it.

Kennedy
Chairman.

On motion of Kennedy, the recommendations of Committee of the whole, in regard to C. B. No. 46 were adopted, and the bill was referred to a Select Committee, consisting of Thompson, Collins and Richards.

On motion of Thompson
Holiday was granted leave of absence until Tuesday next.

On motion of Kennedy the Committee of the whole was allowed further time to consider C. B. No. 45.

On motion of Collins, the Council adjourned until to morrow at 10 o'clock A.M.

Ruben S. Davis
Chief Clerk

Council Journal Forty eighth Day.

Council Chamber

Helena Montana
February 26th 1887Council met pursuant to adjournment
at 10 A.M.

Mr. President in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal of forty seventh
day read and approved.Mr. President
announced the signing of C. J. M.
No. 1 and C. B. No. 22.Sutherland presented
remonstrance of citizens of Meagher County
against law increasing licenses for sale of
liquor.The following reports were received:
Mr. President:Your Committee on
Mines and Minerals to whom was referred
H. B. No. 23 "An act concerning the
use of safety cages and iron bonnets in
mining shafts, having had the same under
consideration, beg leave to report it back with
the recommendation that it do pass.J. R. Vander
Chairman

Mr. President:

Your Committee on
Powers and Counties, to whom was referred
C. B. No. 41 "A bill for an act to amend
Section 968 of the 5th Division of the
Revised Statutes, have had the same under
consideration and report the bill back
with the recommendation, that it be
amended, by striking out the "proviso"
and as so amended, recommend that it
do pass.Cardwell
Chairman.

Mr. President:

Your Committee on

(Continued)

Engrossment, to whom was referred, C. B. No. 15, "An act in relation to fencing railroads, and erection of cattle guards, beg. to report the same correctly engrossed."

Woolley Chairman.

Mr. President:

Your Committee on Towns and Counties to whom was referred H. B. No. 56 "A bill for an act to amend an act, entitled an act to create the County of Yellowstone, and for the election of officers thereof," have had the same under consideration, and beg leave to report the bill back with the recommendation that it do pass.

Cardwell Chairman.

Mr. President:

Your Committee on Agriculture and Manufacture to whom was referred H. B. No. 34 "An act to amend an act, relative to killing certain animals," have duly considered the same, and beg leave to report it, back with the recommendation that it do pass.

Cardwell Chairman.

The Committee on Ways and Means reported back C. B. No. 29 and 30 with substitutes for each.

H. B. No. 23 was placed in general orders.

On motion of Cardwell, the substitute for C. B. No. 30 was adopted and placed in general orders.

On motion of Pader, the substitute for C. B. No. 29 was adopted.

On motion of Kennedy, the rules were suspended, and the substitute for C. B. No. 29 was placed in calendar for third reading.

On motion of Kennedy, the amendment to C. B. No. 41 was adopted and the bill was referred to Committee on Engrossment.

Council Journal Forty eighth Day

C. B. No. 15 was placed in calendar for third reading.

On motion of Cardwell, the rules were suspended, and H. Bills, Nos 56 and 54 were placed in calendar for third reading.

Richardson gave notice of introduction of a bill relating to better protection of game and fish; Also, on March 3rd or some subsequent day he would again introduce C. B. No. 23 "relating to reduction."

The following communication from the House was received.

House of Representatives

Helena M.T. Feby 25th 1887

Mr. President.

I am directed by the House to inform your Honorable body,

That

Mr. Speaker has signed H. Bills Nos 6 and 25.

Notice were given as follows:
By Holt: "To prevent the killing of beaver on public ranges."

By Johnson: "A bill to regulate the shipment of hides."

Bills were introduced as follows:

By Marshall: H. B. No. 84 "A bill for an act fixing the compensation of sheriffs for the board of prisoners." Ordered printed.

By Paylor: H. B. No. 85 "An act to amend an act entitled an act for the better protection of live stock" Ordered printed.

By Muth: H. B. No. 86 "An act to amend Section 292 of the Fifth Division of the Revised Statutes of Montana." Ordered printed.

Page introduced H. J. R. No. 5 "Relating to the official maps of Montana"

The vote by which H. B. No. 69 was lost was reconsidered, the bill has passed and is herewith transmitted.

(Continued)

C. B. No. 21 has been correctly engrossed and is herewith transmitted.

No. Bills Nos 20, 52 and 67 have passed the House and they are herewith transmitted.

David Marks
Chief Clerk

On motion of Kennedy, the House amendments to C. B. No. 21 were concurred in and the bill and amendments referred to Committee of Enrollment.

No. B. No. 69 was read first and second times and referred to Committee on Military Affairs.

No. B. No. 52 was read first and second times, and referred to Committee on Judiciary.

No. B. No. 20 was taken up; and on motion of Kennedy, the rules were suspended, the bill was read first and second times by its title, and referred to a Select Committee, appointed by the Chair and consisting of Kennedy, Waters and Collins.

No. B. No. 67 was read first and second times, and referred to Committee on Incorporations.

On motion of Kennedy No. B. No. 34 was taken from calendar for third reading and placed on general orders.

The substitute for C. B. No. 29 was read the third time and passed by the following vote:

(Ayes)	Batchelder	Cardwell,	Collins	
	Hornaday	Kennedy	Parker	
	Rickard	Sutherland	Thompson	
	Waters,	Mr. President.		11
(Noes)	None			0
(Absent)	Horsley			1

The title was amended so as to read
"An act concerning records of mining locations"
No. B. No. 56 was read the third time and passed by the following vote:

(continued)

Ayes - Batchelder, Cardwell, Collins, Hurdly,
 Kennedy, Parden, Richards, Sutherland,
 Thompson, Waters, Mr President 11
 Noes - None 0
 Absent - Holliday 1
 Title agreed to.

C.B. No 15 was read the third time.

Richards moved that the bill be taken from the calendar for third reading and placed on general orders, which was lost.

The bill was passed by the following vote:

Ayes - Batchelder, Cardwell, Collins, Hurdly,
 Kennedy, Sutherland, Thompson, Waters,
 Mr President 9
 Noes - Parden, Richards 2
 Absent - Holliday 1
 Title agreed to

By consent the following report was received:-

Mr President,

Your committee on Judiciary has examined the provisions of C.B. No 51, H.B. No. 41, and H.B. No 91, and recommend that said bills do pass.
 Collins, Chairman.

C.B. No 51 and H. Bills Nos 41 and 91 were placed on general orders.

Mr President,

Your Judiciary Committee, to whom was referred C.B. No 26, "A Bill for an act to provide compensation for James Snyder for the assessment of Meagher and Fergus counties, have considered the same, and beg leave to recommend that the same be amended by offering the following substitute, and as so amended we ask that it do pass.
 Collins, Chairman.

On motion of Sutherland,

the substitute for C.B. No. 26 was adopted and referred to Committee on Expenditure

(Continued)

Collins, by consent, introduced C.B. No 52, which was read a first and second times and referred to Committee on Judiciary

On motion of Richards, The Council took a recess until 2 o'clock p.m.

Council resumed at 2 p.m.

Mr President in the chair

Roll called. Quorum present

The Council resolved itself into Committee of the whole, for the consideration of general orders, Kennedy in the chair

Council resumed, Mr President in the chair

Kennedy, chairman of Committee of the whole, reported that C.B. No 45 had been considered, and was granted time to prepare report.

Richards, by consent, introduced C.B. No 53, "A Bill for an act creating a Territorial Board of Medical Examiners and defining their duties."

Read first and second times and referred to Committee on Printing

By consent, the following report was received: —
Mr President,

Your Committee on Incorporations to whom was referred H. B. No 29, herewith return the same with the recommendation that it do pass
Richards, Chairman

H. B. No 29 was placed on general orders

On motion of Haines,

Council took a recess until 7 p.m.

Council resumed, Mr. President in the chair.

Roll called, Quorum present

(Continued)

The following report was received:

Mr President,

Your Committee of the whole have had under consideration C.B. No 45, for the formation of municipal corporations, and I beg leave to report it back with the subjoined amendments to the printed bill, and do recommend its passage as amended.

Kennedy, Chairman

On motion of Collins,

The amendments were adopted, and the bill referred to Committee on Enfranchisement.

On motion of Sutherland,

The Council adjourns until Monday next at 10 o'clock a.m.

Richard L Davis
Chief Clerk

Council Journal - Fiftieth Day.

Council Chamber
 Helena, M. T., February 28th, 1887.

Council met at 10 o'clock a.m. pursuant to adjournment.
 Mr President in the chair;
 Roll called. Quorum present.
 Prayer by the chaplain.
 Journal of forty-eighth day read and approved.

Reckard presented petition of residents of Silver Bow County for law for protection of game and fish, and appointment of Game and Fish Detector.
 Received and ordered filed

The following reports were received: -

Mr President,

Your Committee on Ways and Means, to whom was referred C.B. No. 2, a Bill for an act to repeal Section 3 of an act entitled "An act to provide for licensing commercial travelers, approved July 27, 1879" having had the same under consideration, beg leave to report the same back without recommendation
 J. N. Parker Chairman

Mr. President,

Your special committee, to which was referred C.B. 38, concerning marriages, beg leave to recommend the following amendments: -
 In line 6, Sec 3, strike out the words "resident in the territory and" and substitute there for the words "who is"
 In lines 2 and 3, Sec. 5, strike out the words "verbal consent if present, or"
 In lines 3 and 4, Sec. 5, strike out the words "if absent"
 In Sec. 10, line 40, strike out the word "five" and substitute the word "two" there for
 And as amended, your committee recommends that the bill do pass

Kennedy, Chairman.

Mr President,

Your special committee, to which was referred H.B. 20, to establish a hospital for the insane, beg leave to report the bill back with the recommendation that it do pass

Kennedy Chairman

(Continued)

Mr President,

Your committee on military affairs, to which was referred C.B. No 43, "An act to amend an act entitled an act to organize and regulate the militia, approved March 10, 1885, begs leave to report it back with the recommendation that it be amended by inserting in line 7, Sec. 2, after the word "days" the words "in each year" and as amended that it do pass"

Kennedy Chairman

Mr President,

Your committee on military affairs, to which was referred H.B. 69, to repeal article 2, chapter 21 of the fifth division of the revised statutes, begs leave to report it back with the recommendation that it do not pass

Kennedy, Chairman

Mr President,

Your Committee on Enrollment, to whom was referred C.B. No 21, An act to provide for a Territorial Board of Arbitration for the settlement of differences between employers and employees, beg leave to report the same correctly enrolled.

Kennedy, Chairman

Mr President,

Your Committee on Engraving, to whom was referred C.B. No 45, a Bill for an act relating to the formation of municipal corporations, beg to report the same correctly engraved

J R Parden

Mr President,

Your conference committee on H.B. No 10, "An act to protect wage workers" has considered the same, and recommends that section five be not stricken out and that it do pass as otherwise amended

J. E. Collins

Conference Committee on behalf of the Council
"I disagree with the above"

-Kennedy

(Continued)

Mr President,

Your Judiciary Committee, to which was referred C.B. 52, an act to regulate the amount of costs of witnesses in Criminal cases, and H.B. 52, an act to amend sections 396 and 397 of the second division of the revised statutes of Montana, and respectfully report them back with the recommendation that they do pass
Collins Chairman

On motion of Kennedy, The amendments to C.B. No 38 were adopted. Ordered engrossed.

On motion of Kennedy, The amendments to C.B. ~~No 38~~ No 43 were adopted

Kennedy moved that the Council refuse to recede from second amendment to H.B. No 10, which was lost.

On motion of Collins, The recommendation of the majority of the Committee of Conference on H.B. No 10 was adopted, and the Council receded from the second amendment to the bill by the following vote:-

Ayes- Batchelder, Cardwell, Collins, Pardee, Richards, Thompson, Waters, Mr President - 8

Noes - Hunsley, Kennedy, Sutherland - 3

Absent - Halliday - 1

C.B. No 45 was placed on calendar for third reading.

C.B. No 2, H.B. No 20, C.B. No 43, H.B. No 69, C.B. No 52 and H.B. No 52 were placed on general orders.

Bills were introduced as follows:

By Richards - C.B. No 54 - "a Bill for an act providing for the better protection of game and fish and for the creation of the office of Game and Fish Detective"

Read first and second times and referred to Committee on Printing

(Continued)

By Collins: C. B. No. 55 "A bill for an act to amend Section 391 of the Fifth Division of the Revised Statutes of Montana, in relation to duties of County Recorders."

Read first and second times and on motion of Collins, referred to Committee on Ways and Means.

By Cardwell: C. B. No. 56 "A bill for an act to permanently fix and determine the boundary line of Jefferson County." Read first and second times and on motion of Cardwell referred to a Special Committee, consisting of the members from Jefferson Silver Bow, Deer Lodge and Lewis and Clarke Counties."

The following communication from the House was received.

House of Representatives
Helena, Md. July 26th 1887

Mr. President:

I am directed by the House to inform your Honorable Body That,

Mr. Speaker has signed C. B. No. 22 and C. J. M. No. 1.

Scobey introduced H. B. No. 87, "A bill for an act to provide for the seizure and sale of trespassing swine." Ordered printed.

H. B. No. 62 has passed the House and the same is herewith transmitted.

David Marks
Chief Clerk.

H. B. No. 62 was read first and second times and referred to Committee on Ways and Means.

Kennedy moved that the rules be suspended, and that C. B. No. 45 be read the third time by its title. Carried.
C. B. No. 45 was read the third time by its title and passed by the following vote:

(Continued)

Ayes: Batchelder Leardwell Collins
 Kennedy Parker Richards
 Sutherland Thompson Waters
 Mr. President 10
 Noes 1
 Absent 1
 Hurdley
 Hockley
 Pite agreed to.

The Council resolved itself into
 Committee of the whole for the consideration
 of the general orders.

Collins in the Chair.
 Council resumed.

Mr. President in the Chair.
 Collins, Chairman of Committee of the
 whole, reported consideration of bills, and
 was granted time to prepare report.

Mr. President announced the
 signing of C. B. No. 21.
 By consent the following report
 was received.

Mr. President:

Your Committee on
 Elections to whom was referred, H. B. No. 26
 "An act to provide for the registration of the
 names of electors, and to prevent frauds at
 elections," having had the same under
 consideration, respectfully report the same back
 with the recommendation that it do pass.

Waters

Chairman.

Collins of the Committee on
 Elections was allowed to present minority
 report on H. B. No. 26.

On motion of Sutherland, the
 Council took a recess until 2. P. M.
 Council resumed.

Mr. President in the Chair.

Roll called. Quorum present.

The following communication from the
 House was received.

House of Representatives

Wesley M. P. 28th 1887

Mr. President:

I am assisted by the House

(Continued)

to inform your Honorable body,
That:

Bills were introduced as follows:
By Armstrong: H. B. No. 88 "An act to amend Section 585 and 594 of Chapter 22 of the 3rd Division of the Revised Statutes," Also,

H. B. No. 89 "An act to amend Section 319 of Chapter one of the First Division of the Revised Statutes" Ordered printed.

The Governor has approved H. Bills No's 6 and 25."

The vote by which H. J. R. No. 2 was lost, was reconsidered and the same passed the House, and ~~is~~ herewith transmitted.

H. Bills No's 55 and 58 have passed the House and they are herewith transmitted.

The House has adopted the report of the Conference Committee on H. B. No. 10

David Marks
Chief Clerk.

H. J. R. No. 2 was read first and second times and on motion of Richards Referred to Committee on Ways and Means.

On motion of Collins the rules were suspended, H. B. No 55 was read first and second times, by its title and referred to Committee on Incorporations.

H. B. No. 58 was read the first time, Parker moved that the bill be laid on the table which was carried by the following vote.

Ayes:	Batchelder	Cardwell	Kennedy	
	Parker	Thompson	Waters	6
Noes	Collins	Hamley	Richards	
	Hubbard	Mr. President		5

(Absent Holliday.

The Council resolved itself into Committee of the whole, for consideration of general orders.

(Continued)

Thompson in the Chair
Council resumed.

Mr. President in the Chair.

The following Report was received.

Mr. President:

Your Committee on Enrollment beg leave to report that C. B. No. 21 "Providing for a board of arbitration" and C. B. No. 22 "To encourage tree culture and arboriculture" were presented to the Governor for his consideration at 1.45 P. M. Feb. 28th 1887.

Kennedy Chairman.
The following Report was received:

Mr. President:

Your Committee of the whole has considered H. B. No. 44 "To amend Section 380 of the 3rd Division of the Revised Statutes," and recommend that it do not pass.
Also H. B. No. 43 "Concerning fences"
C. B. No. 44 "An act for the care and maintenance of orphan children."

Also C. J. R. No. 8 "To pay S. W. Weston for certain services," and recommended that they do pass.

(Also C. B. No. 36 "To provide for the appointment of a Public Examiner" and recommend that the amendments hereto amended be adopted, and that the bill do pass as amended.

Collins, Chairman

H. B. No. 44, H. B. No. 43, C. B. No. 44, and C. J. R. No. 8 were placed in calendar for third reading.

On motion of Collins, the amendments to C. B. No. 36 were adopted, and the bill referred to the Committee on Engrossment.

The following Report was received
Mr. President:

Your Committee of the whole having considered the bills hereafter mentioned, report the same back and recommend

(Continued)

Follows:

That H. B. No. 42 "A bill for an act relating to elections," do not pass.

That the substituted amendments to C. B. No. 47 be adopted, and that as amended, the bill do pass.

That C. B. No. 42 "A bill for an act to create the office of Attorney General" etc. be amended by adopting the amendments hereto annexed and that as amended it do pass.

That C. B. No. 39 "A bill for an act to regulate soliciting by persons requiring the payment of money in advance" etc. be amended by striking out the words "or personal" in line 13 Section 2, and that as amended, the bill do pass.

That C. B. No. 30 "A bill for an act to amend Sections 71, 77, 80 and 81 of the 5th Division of the General Laws of Montana," increasing the salaries and bonds of the Territorial Auditor and Treasurer, be amended by adopting the amendments hereto annexed, and that as amended, the bill do pass.

That the amendment to H. B. No. 34, herewith reported be adopted, and that as amended the bill do pass.

That H. B. No. 23 "an act concerning the use of safety cages and bonnets in mining shafts." Also,

C. B. No. 37 "Concerning expert witnesses and jurors." Also,

H. B. No. 41 "Concerning Chattel Mortgages." Also,

H. B. No. 71 "To amend Section 161 of the 2nd Division of the Revised Statutes," do pass.

H. B. No. 29 "In relation to Railroad Corporations," is still under consideration, and your Committee ask leave to sit again.

Thompson
Chairman.

(Continued)

No. B. No. 42 was placed on calendar for third reading.

On motion of Sutherland, the amendments to B. B. No. 47 were adopted, and the bill was referred to Committee on Engrossment.

On motion of Rickards, the Council adjourned until to morrow at 10 A.M.

Richard Davis
Chief Clerk

Council Journal Fiftyfirst Day
 Council Chamber,
 Helena Montana,
 March 1st 1887

Council met at 10 A. M.
 pursuant to adjournment.

Mr. President in the Chair.
 Roll called. Quorum present.

Prayer by the Chaplain.

Journal of Fiftieth day read
 and approved.

The following Reports were
 received.

Mr. President:

Your Committee on
 Engraving, to whom was referred C. B.
 No. 38, "A bill for an act concerning
 maniaes," beg to report the same correctly
 engraved.

J. K. Pardee

Mr. President:

Your Committee on
 Engraving, beg leave to report that it has
 compared C. B. No. 47 "A bill for an act
 to prevent and suppress the dissemination
 of scab and contagious disease among
 sheep," and that the same is correctly
 engraved.

J. K. Pardee

Mr. President:

^{Special} Your Committee
 to whom was referred C. B. No. 56 "A
 bill for an act to permanently fix and
 determine the Boundary line of Jefferson
 County, have had the same under
 consideration, and beg leave to report the
 bill back with the recommendation that it
 do pass.

Carroll

Chairman.

C. Bills Nos 38, 47 and 56 were placed
 in calendar for third reading.

Collins introduced C. J. R.
 No. 9 "Authorizing Charles H. Free to compile,

Continued

arrange, print and publish the general and permanent laws of Montana Territory in force at the expiration the Fifteenth regular session of the Legislative Assembly.

Read first and second times and referred to Committee on Judiciary.

The following communication from the House was received:

House of Representatives

Helena Mt. Feb'y 28th 1887

Mr. President:

I am directed by the House to inform your Honorable body that, under a suspension of the rules, H. J. R. No. 6 has passed the House, and the same is herewith transmitted.

David Marks

Chief Clerk.

H. J. R. No. 6 was read first and second times.

On motion of Cardwell, the rules were suspended, the resolution was read the third time by its title and passed by the following vote:

Ayes: Batchelder Cardwell Collins
Gundley Kennedy Pardee
Sutherland Thompson Waters
Mr. President 10

Noes None 0

Absent Holliday Richards 2

Ditto agreed to.

On motion of Collins H. B. No. 44 was taken from calendar for third reading, and referred to Committee on Ways and Means.

A communication was received from the Governor, announcing his approval of C. Bills Nos 21 and 22.

H. B. No. 43 was read the third time, and passed by the following vote:

Ayes: Batchelder Cardwell Collins
Gundley Pardee Sutherland
Thompson Waters Mr. President

Noes Kennedy

Absent Holliday Richards

Continued)

Rules agreed to.

H. B. No. 42 was read the third time and lost by the following vote

Ayes	Rickards	1
Noes	Batchelder	1
	Carewell	1
	Collins	1
	Hayndley	1
	Kennedy	1
	Pardue	1
	Sutherland	1
	Thompson	1
	Walden	1
	Mr. President.	10

Absent Holladay 1

Mr. President announced the signing of H. J. M's. 7 and 8 and H. Bills Nos 53, 61, 45, 46, and 54.

By consent the following Reports, were received.

Mr. President:

Your Committee on Ways and Means to whom was referred H. B. No. 62 "A bill for an act to amend an act entitled entitled an act, to authorize County Commissioners to issue bonds, to redeem outstanding indebtedness" Approved March 6th 1883, having had the same under consideration beg leave to report the same back with the recommendation, that it do pass.

J. H. Pardue
Chairman.

Mr. President:

Your Committee on Ways and Means to whom was referred C. B. No. 55, "A bill for an act to amend Section 391 of the 5th Division of the Revised Statutes of Montana, in relation to duties of County Recorder," having had the same under consideration beg leave to report the same back with the recommendation that it do pass.

J. H. Pardue
Chairman.

Mr. President:

Your Special Committee to whom was referred C. B. No. 57 "A bill for an act to prohibit the sale of ~~intoxicating~~

(Continued)

liquors outside the limits of any incorporated town or city, or any legally established townsite wherein is established a post office, to certain persons," have had the same under consideration, and beg leave to report a substitute, with the recommendation that it be adopted.

J. R. Pender.
Chairman.

Mr. President:

Your Committee on Engraving, to whom was referred Substitute for C. B. No. 26 "A bill for an act to provide compensation for Samuel Snyder for certain services and to authorize the County Commissioners of the Counties of Perki and Meagher to audit and allow the same." C. B. No. 41 "A bill for an act to amend Section 968 of the 5th Division of the Revised Statutes," beg to report them correctly engraved.

J. R. Pender.

Mr. President:

Your Committee on Engraving having examined C. B. No. 36, beg leave to report the same properly engraved.

J. R. Pender.

Mr. President:

Your Joint Committee appointed under Council Concurrent Resolution, No. 1, to examine and report upon the books and accounts of the Territorial Auditor and Treasurer, for the years 1885 and 1886, respectfully report to the Council and the House that:-

Your Committee finding the labor of a thorough examination would consume more time, than your Committee could conveniently give from their other Legislative duties, employed Wm Steel and Frank R Shaffer, able and experienced accountants under the authority given them by the Resolution. That William Steel and Frank R. Shaffer entered upon the discharge of their duties and have made a complete and minute

(Continued)

Examination of the Books Accounts, Vouchers, etc. connected with the said office, and made a report to your Committee, which is herewith annexed, and made a part hereof. From said statement of William Steel and Frank R. Shaffer and investigation of your Committee, they are satisfied that the books and accounts of the officers of Auditor and Treasurer, are in a satisfactory condition, and that the duties devolving upon said officers have been efficiently and faithfully discharged. All of which is respectfully submitted.

E. C. Waters }
Wm. Muth } Committee.

Merina February 26th 1887
Hon. E. C. Waters

Chairman Joint Committee

Sir,

We beg leave to report that we have made a thorough examination of the books kept by the Territorial Auditor, for the two years ending Dec. 31 1886.

We have examined all of the warrants as paid by the Treasurer, and find that they all agree with the original entries. We have also examined each voucher, and find that they were all, valid claims against the Territory, and that in every case the amount of warrant drawn on account of the same was correct.

The trial balance of the Auditor will be found annexed to the accompanying affidavit.

We have also thoroughly examined the books and accounts of the Territorial Treasurer, and find them correct in each and every particular. The Treasurer's trial balance will also be found annexed to the accompanying affidavit.

We take pleasure in commending the neatness and accuracy with which

(Continued)

Both Auditor's and Treasurer's books have been kept.

Respectfully Submitted.

William Steele } accountants.

Frank R. Shaffer }

We Frank R. Shaffer and William Steele accountants employed by the Joint Council and House Committee, appointed to examine the Auditor's and Treasurer's books of Montana Territory, do solemnly swear, that we have examined the same, and found in both cases, that the books are well and correctly kept and that all entries in the same are in accordance with the facts as they appear on same; and that the accompanying is a correct copy of that balance of each as appears by said books.

William Steele

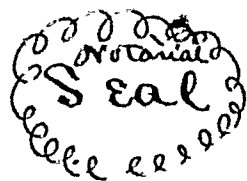
Frank R. Shaffer

Subscribed and sworn to before me
this February 26th 1887

Henry W. Foote

Notary Public.

in and for Montana.



True Balance of Auditor Jan. 1st 1887

D. H. Weston	Treas. Gen'l Fund.	57269.18
D. H. Weston	" S. D. and D. F.	7444.47
D. H. Weston	" S. D. F.	10213.50

Escheated Estates	6042.35
L. F. Warrant ap.	2057.
S. D. and D. F. Warrant ap.	700.
Territory of Montana	65900.79
Jno. M. Gregor	45.10
J. Rayfield	80.
H. Merghe	99.67
H. A. Hampton	2.24
	<u>74927.15</u>
	<u>74927.15</u>

(Continued)

Trial Balance of Treasurer Jan. 1st 1887

	Dr.	Cr.
Cash ap.	57269.18	
Edwards Ex Treas.	322.32	
Stock Indemnity & Detective Fund.	7444.47	
" " " "	10213.50	
Hermon Ex Treas.		2.24
Territory of Montana		68517.16
M. C. Legard Heins		45.10
Rafuels	"	80.
Mitghes	"	99.67
Williams	"	70.
Murray	"	351.41
Andrews	"	38.54
Brysons	"	131.72
Robbs	"	247.01
Muller	"	83.55
Bingins	"	133.41
Meyerscher	"	55.96
Leroy	"	100.00
Lumens	"	30
Howards	"	237.89
Summott	"	38.27
Chambers	"	62.63
Rodgers	"	30.77
Thompson	"	4585.83
Andry	"	105.86
Fayant	"	92.28
Johnson	"	93.25
Durham	"	13.98
	75249.47	75249.47

The following Report was received,
Mr. President:

Your Committee on
Education and Labor, to whom was
referred the petition from Gustav County,
relating to boundaries of School District
(No. 4) beg to report that it is our judgment
we have no jurisdiction in the matter, under

(Continued)

existing law and we herewith return the petition.

J. B. Rickards
Chairman.

H. B. No. 62 and C. B. No. 55 were placed in general orders.

The Substitute for C. B. No. 37 reported by Committee on Ways and Means, was read, and on motion of Pardee, adopted and placed in general orders.

Substitute for C. B. No. 26; C. B. No. 41 and C. B. No. 36 were placed on calendar for third reading.

On motion of Kennedy, the proceedings of the Special Committee to examine the books and accounts of the Penitential Auditor and Treasurer, were approved, and the Committee discharged.

C. B. No. 44 was read the third time, and on motion of Sutherland, referred on amendment to a Select Committee appointed by the Chair, and consisting of Collins, Thompson and Sutherland.

C. J. R. No. 8 was read the third time and passed by the following vote

Ayes	Batchelder	Cardwell	Collins	
	Kennedy	Pardee	Rickards	
	Sutherland	Thompson	Mr. President	9
(Noes	Kennedy	Waters		2
Absent	Holliday			1

Pitts agreed to

C. B. No. 49 was read the third time and passed by the following vote:

Ayes	Batchelder	Cardwell	Collins	
	Kennedy	Pardee	Rickards	
	Sutherland	Thompson	Waters	
	Mr. President			11
(Noes	None			0
Absent	Holliday			1

Pitts agreed to

By consent H. B. No. 34 was taken up. On motion of Collins, the amendments reported by the Committee

(Continued)

of the whole were adopted and the bill referred to Committee on Engraving.

C. B. No. 57 H. Bills Nos 91, 23, and 41 were placed in calendar for third reading.

On motion of Collins, the amendments to C. B. No. 39 were adopted, the rules were suspended, and the bill considered engrossed and placed in calendar for third reading.

On motion of Pardee, the amendments to C. B. No. 30 were adopted.

On motion of Collins, the amendments to C. B. No. 42 were adopted.

On motion of Cardwell, the amendments to H. B. No. 34 were adopted.

C. B. No. 30, C. B. No. 42 and H. B. No. 34, were ordered engrossed.

On motion of Rickard, Council took a recess until 2 P. M.
2 P. M.

Council resumed.

Mr. President in the Chair.

Roll called. Quorum present.

By consent the following Reports were received.

Mr. President:

Your Committee on Engraving, to whom was referred C. B. No. 30 "to amend Sections 77, 77, 80 and 81 of the 5th Division of the Revised Statutes of Montana" increasing the Salaries and Bonds of the Political Auditor and Treasurer, beg to report it correctly engrossed.

W. B. Hurdley.

Mr. President

Your Committee on Printing beg leave to report C. B. No. 53 "A bill for an act creating a Sanitorial Board of Medical Examiners, and defining their duties as correctly printed."

Sutherland Chairman.

(Continued)

C. B. No. 30, was placed on calendar for third reading

C. B. No. 33 was placed on general orders.

C. B. No. 39 was read the third time and passed by the following vote.

Ayes	Batchelder	Cardwell	Collins	
	Wendley	Rickards	Sutherland	
	Thompson	Waters	Mr. President	9
Noes	None			0

Absent	Holliday	Kennedy	Pardee	3
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Pitts agreed to.

C. B. No. 34 was read the third time. On motion of Collins, the bill was taken from calendar and re-committed to Committee on Judiciary.

C. B. No. 36 was read the third time and passed by the following vote:

Ayes	Batchelder	Cardwell	Collins	
	Wendley	Pardee	Rickards	
	Sutherland	Thompson	Waters	
	Mr. President			10
Noes	None			0
Absent	Holliday	Kennedy		2

Pitts agreed to.

On motion of Collins, the rules were suspended, C. B. No. 36 was read the third time by its title and passed by the following vote.

Ayes	Batchelder	Cardwell	Collins	
	Wendley	Pardee	Rickards	
	Sutherland	Thompson	Waters	
	Mr. President			10
Noes	None			0
Absent	Holliday	Kennedy		2

On motion of Collins, the title was amended so as to read "A bill for an act to provide for the appointment and to prescribe the duties of a Public Examiner."

C. B. No. 41 was read the third time and passed by the following vote.

Ayes	Batchelder	Cardwell	Collins	
	Wendley	Pardee	Rickards	

(Continued)

Sutherland Thompson Waters
Mr President 10
Noes None 0
Absent Holliday Kennedy 2

Pitts agreed to.
Substitute for C. B. No. 26 was
read, the third time and passed by the
following vote:

Ayes Batchelder Cardwell Collins,
Hendley Kennedy Pardee
Rickards Sutherland Thompson
Waters Mr. President 11

Noes None 0
Absent Holliday 1

The title was amended by
striking out the words, "Substitute for."

On motion of Rickards, the
rules were suspended, C. B. No. 28, was
read the third time by its title and passed
by the following vote:

Ayes Batchelder Cardwell Collins
Hendley Kennedy Pardee
Rickards Sutherland Thompson
Waters Mr. President 11

Noes None 0
Absent Holliday 1

Pitts agreed to.

C. B. No. 30 was read the third time
and passed by the following vote:

Ayes Batchelder Cardwell Collins
Hendley Pardee Rickards
Sutherland Thompson Waters 10

Noes Kennedy Mr. President 2

Pitts agreed to.

The following communication from the
House was received.

House of Representatives
Wash. D. C. March 1st 1887

Mr. President:

I am directed by the
House to inform your Honorable body,
that:

Mr. Speaker has signed H. B. No. 56
"A bill for an act to amend an act entitled

(Continued)

an act to create the County of Yellowstone and for the election of officers thereof "Approved Feb. 26th 1883.

House Bill No. 33 was laid on the table.

Bills were introduced as follows:

By Blake: H. B. No. 90 "A Bill for an act to provide for keeping the Military Stores,

By Muth: H. B. No. 91 "An act concerning: prisoners in City Jails, also H. B. No. 92 "A bill for an act concerning the registration of voters in Incorporated Cities. Ordered printed.

By White: H. B. No. 93 "An act to amend Chapter LV of the Fifth Division of the Revised Statutes of the School Law of Montana. Ordered printed.

Blake introduced H. J. R. No. 7 "To compensate Charles H. Smith for compiling and arranging the general and permanent laws of Montana Territory.

The following Bills passed the House under suspension of the rules:

H. B. No. 88 "An act to amend Sections 585 and 594 of Chapter 22 of the Fifth Division of the Revised Statutes"

H. B. No. 90 "An act to provide for keeping the Military Stores"

H. B. No. 91 "An act concerning prisoners in City Jails. Also,

H. B. No. 4 "Requiring the publication of certain matters as amended by the House and are herewith transmitted.

Wm H. Todd

Chief Clerk pro tem.

On motion of Kennedy, the Council refused to concur in House amendments to H. B. No. 4 and asked for a Committee of Conference thereon.

The Chair appointed as such Committee on the part of the Council Kennedy, Collins and Oliver.

(Continued)

H. B. No. 91 was read first and second times and referred to Committee on Towns and Counties.

H. B. No. 90 was read first and second times and referred to Committee on Military Affairs.

H. B. No. 88 was read first and second times and referred to Committee on Judiciary.

Order by consent, introduced C. J. R. No. 10 "To defray the expenses of the executive department."

Read first and second times and referred to Committee on Federal Relations.

The following communication from the House was received.

House of Representatives

Helena Montana March 1st 1887

Mr. President:

I am directed by the House to return your communication of this date for correction as regards H. B. No. 50 being lost in the Council, the same not having as yet passed the House and is still in its possession.

Wm. H. Podd

Chief Clerk pro tem.

Ordered that communication be corrected by inserting 58 in place of 50.

The Council resolved itself into Committee of the whole.

Thompson in the Chair.

Council resumed.

Mr. President in the Chair

The following Report was received.

Mr. President:

Your Committee of the whole having considered the bills hereinafter mentioned beg leave to report the same back and to recommend,

That H. B. No. 29 "A bill for an act in relation to Railroad Corporations," do pass.

That C. B. No. 2 "A bill for an act

Continued)

to repeal Section 3 of an act entitled an act to provide for licensing commercial travelers," be laid on the table.

That H. B. No. 62 "A bill for an act entitled 'An act to authorize County Commissioners to issue bonds to redeem outstanding indebtedness,'" Approved March 6th 1883, do pass.

That C. B. No. 43 "An act to amend an act to organize and regulate the militia," as amended do pass.

That H. B. No. 69 "An act to repeal, Article II of Chapter II of 5th Division of Revised Statutes" do not pass.

That C. B. No. 52, "An act to regulate the amount of costs of witnesses in criminal cases," do pass.

That H. B. No. 52 to amend Sections 396 and 397 of 2^d Division of Revised Statutes," do pass.

That C. B. No. 55, "A bill for an act to amend Section 391 of 5th Division of Revised Statutes in relation to duties of County Recorders," do pass.

That the substitute for C. B. No. 37 prohibiting sale of liquors to certain persons do pass.

That C. B. No. 53 has been under consideration, and your Committee, ask leave to sit again.

J. J. Thompson,
Chairman.

(On motion of Kennedy, C. B. No. 2 was laid on the table.

On motion of Collins, the rules were suspended, H. B. No. 62, was read the third time by its title, and passed by the following vote:

(Ayes.	Batchelder,	Cardwell	Collins	
	Hendley	Kennedy	Pardee	
	Rickards	Sutherland	Thompson	
	Waters	Mr. President		11
(Noes	Stone			0
(Absent	Holiday			1

Date agreed to.

(Continued)

C. B. No. 43. was referred to Committee on Engraving.

On motion of Collins the rules were suspended, and C. B. No. 55 was considered engrossed. Placed on calendar for third reading.

H. Bills No's 29, 52 and 69 and C. Bills No's 52, 55 and 67 were placed on calendar for third reading.

By consent the following Report was received.

Mr. President:

Your Select Committee to which was referred H. B. No. 27, beg leave to report a substitute with the recommendation that it be adopted.

Pardee

Chairman.

On motion of Collins, H. B. No. 27, was made a special order for tomorrow at 11 A. M.

On motion of Cardwell, the Court adjourned until tomorrow at 10 o'clock A. M.

Ruben L. Davis
Chief Clerk

Council Journal Fifty second day.
 Council Chamber
 Helena Montana
 March 2^d 1887

Council met at 10 A. M. pursuant to adjournment.

Mr. President in the Chair.

Roll called Quorum present.

Prayer by the Chaplain.

Journal of Fifty first day read and approved.

The following Reports were received.

Mr. President:

Your Committee on Pecuniary Relations to whom was referred C. J. R. No 10, "To defray the expenses of the Executive Department," have had the same under consideration, and beg leave to report the bill back with recommendation that it do pass.

W. B. Buckley.

Chairman

Mr. President:

Your Committee on Engrossment to whom was referred C. B. No. 13 "An act to amend an act entitled an act to organize and regulate the Militia" beg to report the same correctly engrossed.

W. B. Buckley.

Chairman.

Mr. President:

Your Committee on Engrossment, to whom was referred C. B. No. 12 "A bill for an act to Create the office of Attorney General, defining his powers and duties, and for other purposes, Council Amendments to C. B. No. 34 "An act to amend an act relating to killing certain animals, beg to report the same correctly engrossed.

W. B. Buckley

Chairman.

(Continued)

Mr. President:

Your Committee on Printing begs leave to report C. B. No. 118 "A bill for an act to restrict the duties of County Clerks and Recorders, Probate Judge and Justices of the Peace" and C. B. No. 54 "An act for the better protection of game and fish, and for the creation of the office of game and fish detective as correctly printed."

Sutherland Chairman.

C. J. R. No. 10. H. B. No. 26 and C. B. No. 54, were placed on general orders.

C. B. No. 43, C. B. No. 42 and H. B. No. 34 were placed on calendar for third reading.

C. B. No. 48 was referred to Committee on Ways and Means.

By consent, without previous notice Sutherland introduced C. B. No. 57.

"A bill for an act to require the owners of barbed wire fences, to keep the same in repair." Read first and second times and referred to Committee on Agriculture and Manufacturers, and,

Waters introduced C. J. R. No. 11 to provide compensation for William Steel and Frank R. Shaffer, accountants.

Read first and second times,

On motion of Kennedy, the rules were suspended, the Resolution was considered & agreed, read the third time by its title, and passed by the following vote:

(Ayes:	Batchelder	Cardwell,	Collins	
	McClure	McClure	Kennedy	
	Pardee	Richards	Sutherland	
	Thompson	Waters	Mr. President	12
(Noes	(None)			0

Vote agreed to.

The following communication from the House was received.

(Continued)

House of Representatives

Helena MT, March 1st 1887

Mr. President:

I am instructed by the House to inform your Honorable Body that:
The Governor has approved 16 Bills
Nos 61, 53, 45, 46 and 34.

H. B. No. 34 has passed the House
and is herewith transmitted.

Wm. G. Poad,

Chief Clerk pro tem.

H. B. No. 34; was referred to
Committee on Enrollments.

H. B. No. 71 was read the third
time and passed by the following vote:

Ayes: Batchelder, Cardwell, Collins

Holliday, Hurdley, Pardee

Rickards, Thompson, Waters

Mr. President

10

Noes

Kennedy, Sutherland

2

Vote agreed to.

H. B. No. 23 was read the third
time and passed by the following vote:

Ayes: Batchelder, Cardwell, Collins

Holliday, Hurdley, Kennedy

Pardee, Rickards, Sutherland

Thompson, Waters Mr. President

12

Noes

(None)

0

Vote agreed to.

H. B. No. 211 was read the third time
and passed by the following vote:

Ayes: Batchelder, Cardwell, Collins

Holliday, Hurdley, Kennedy

Pardee, Rickards, Sutherland

Thompson, Waters

11

Noes

Mr. President

1

Vote agreed to.

H. B. No. 29 was read the third
time and passed by the following vote:

Ayes: Batchelder, Cardwell, Collins

Holliday, Hurdley, Pardee

Rickards, Thompson, Waters

Mr. President

10

Noes

Kennedy, Sutherland

2

Vote agreed to.

(Continued)

On motion of Rickards, Council took a recess until 2. P. M.

2. P. M.

Council resumed.

Mr. President in the Chair.
Roll called Quorum present.

By consent, the following Reports were received.

Mr. President:

The minority of your Committee on Elections has considered H. B. No. 26 relating to the registration of voters, and respectfully recommended that the same do not pass.

T. E. Collins

Mr. President:

Your Committee on Enrollment to which was referred C. B. No. 34 "A bill for an act to amend Section 504 of the 5th Division of the Revised Statutes," beg to report it correctly enrolled.

Kennedy Chairman.

On motion of Cardwell, the vote by which H. B. No. 42 was lost on yesterday was reconsidered.

(On motion of Sutherland, Council Substitute for H. B. No. 27 was adopted, and referred to Committee on Printing.

Mr. President announced the signing of H. B. No. 10.

The following communication from the House was received.

House of Representatives

Washed. Mr. March 2^d 1887

Mr. President:

I am directed by the House to inform your Honorable body that:

H. B. No. 32 and C. Bills Nos. 12 and 18 have been laid on the table.

C. B. No. 49 with the title amended, and No. 50 have passed the House and they are herewith transmitted.

(Continued.)

The Chair has appointed as a Conference Committee on the part of the House on C. B. No. 41, Messrs Marshall Mantle and Taylor.

David Marks
Chief Clerk.

C. B. Nos 49 and 50 were referred to Committee on Enrollment.

By consent the following Report was received,

The Committee of Conference of the two Houses on H. B. No. 34 "An act concerning the rights of married women, having considered the same, beg leave to report the bill back and recommend that the House concur in the Council amendments, except the amendments to Sections 6 and 9 and the insertion of the new Section numbered 9; and further recommend that the Council recede from said amendments to said Sections 6 and 9, and the insertion of said new Section, numbered 9. In Section 6 line 10, strike out the word half and insert third.

Blake

Chairman of Committee on part of the House.

Collins

Richardson

Thompson

Committee on behalf of the Council.

On motion of Collins, the recommendations of the Report were adopted.

The Council receded from amendments to Sections 6 and 9, and inserting new Section numbered 9. The bill was further amended by striking out of line 10 of Section 6 the word "half" and inserting in lieu thereof the word "third" and the bill was referred to Committee on Enrollment.

H. B. No. 34 was read the third time and passed by the following vote:

Ayes:	Batchelder	Candwell	Collins
	Holladay	Hendley	Kennedy
	Pardee	Richardson	Sutherland

(Continued)

Thompson Waters Mr. President 12
 Noes None 0

Title agreed to.

H. B. No. 52 was read the third time, and passed by the following vote:

Ayes: Batchelder Cardwell Collins
 Holliday Munday Kennedy
 Pardee Richards Sutherland

Thompson Waters Mr. President 12
 Noes None 0

Title agreed to.

H. B. No. 69 was read the third time, and lost by the following vote:

Ayes: None.

Noes: Batchelder Cardwell Collins
 Holliday Munday Kennedy
 Pardee Richards Sutherland

Thompson Waters Mr. President 12

H. B. No. 52 was read the third time, and passed by the following vote:

Ayes: Batchelder Cardwell Collins
 Holliday Munday Kennedy
 Richards Sutherland Thompson
 Waters Mr. President 12

Noes: Pardee 1

Title agreed to.

H. B. No. 56 was read the third time and passed by the following vote:

Ayes: Batchelder Cardwell Collins
 Holliday Cardwell Kennedy
 Pardee Richards Sutherland

Thompson Waters Mr. President 12

Noes: None 0

Title agreed to.

C. Substitute for H. B. No. 37 was read the third time and passed by the following vote:

Ayes: Cardwell Collins Holliday
 Kennedy Pardee Richards
 Sutherland Thompson Mr. President 9

Noes: Batchelder Munday Waters 3

Title amended so as to read "A bill for an act prohibiting the sale of intoxicating liquors - within two miles

(K) continued)

of any Railroad in process of construction."

C. B. No. 43 was read the third time and passed by the following vote:

Ayes	Batchelder	Cardwell	Collins	
	Holliday	Munday	Kennedy	
	Pardee	Richards	Sutherland	
	Thompson	Waters	Mr. President	12
Noes	None			0

Titto agreed to.

C. B. No. 42, was read the third time and passed by the following vote:

Ayes	Batchelder	Cardwell	Collins	
	Holliday	Munday	Kennedy	
	Pardee	Richards	Sutherland	
	Thompson	Waters		11
Noes	Mr. President			1

Titto agreed to

By consent, the following Reports were received

Mr. President:

The minority of your Committee to whom was referred H. B. No. 28 "A bill for an act to amend Section 310 of the 3rd Division of the Revised Statutes of Montana," most respectfully recommend, that said bill be amended as follows: by striking out after the word "complete" (in Section one) the word "fifteen", and inserting instead, the words, "and operate twenty five," and as amended, recommend, that it do pass.

Waters.

Mr. President:

Your Special Committee to whom was referred H. B. No. 28, "A bill for an act to amend Section 310 of the 3rd Division of the Revised Statutes," have had the same under consideration and the majority of your Committee beg leave to report the bill back with the recommendation that it do pass.

Cardwell
Thompson.

(Continued)

Watkins moved that the recommendation of the minority Report be adopted, which was lost.

On motion of Cardwell the recommendation of the majority report, was adopted; and the bill placed on Calendar for third reading.

Mr. President announced the signing of C. B. (No. 34).

The Council resolved itself into Committee of the whole, for the consideration of general orders.

Thompson in the Chair.

Council resumed.

Mr. President in the Chair.

The following Report was received.

Mr. President:

I am instructed by the Committee of the whole to report back the following bills as having been considered and recommending, that:

C. B. (No. 53) "A bill for an act to create a Penitential Board of Medical Examiners etc", be amended by adopting the amendments hereto annexed, and that as amended the bill do pass.

That C. J. R. No. 10 "To defray expenses of Executive Department," do pass.

That C. B. No. 54 "For protection of game and fish inspector," do not pass.

That C. B. (No. 26), "An act to provide for the registration of the names of electors, and to prevent frauds at elections" is reported back without recommendation.

J. J. Thompson
Chairman.

On motion of Cardwell, the Council took a recess, until 7:30 P.M.
Council resumed.

Mr. President in the Chair.

Roll called. Quorum present.

The following Reports were received.

(Continued.)

Mr. President:

Your Committee on Ways and Means, having considered, C. B. 33, relating to assessment and levy of taxes, beg leave to report the same back recommending that the amendments hereto annexed, be adopted: and that as amended, the bill do pass.

J. R. Pardee
Chairman.

Mr. President:

Your Committee on Engraving, to whom was referred C. amendments to H. B. No. 3 (An Act concerning the rights of married women, beg to report the same correctly engrossed.

Holladay
Chairman.

On motion of Sulistat, the amendments to C. B. No 33 were adopted, the rules were suspended, the bill considered engrossed, and placed on calendar for third reading.

On motion of Kennedy, the Council adjourned until tomorrow at 10 A. M.

Rubens Davis
Chief Clerk

Council Journal Fifty third Day.
 Council Chamber
 Helena Montana March 3rd 1887.

Council met at 10 o'clock (A. M.)
 pursuant to adjournment.

Mr. President in the Chair.
 Roll called. Quorum present.
 Prayer by the Chaplain.

Journal of fifty second
 day read and approved.

The report made on yesterday
 by Committee of the whole was
 considered.

On motion of Richards,
 the amendments to C. B. No. 53, were
 adopted, and the bill was referred to
 Committee on Engrainment.

C. J. R. No. 10, C. B. No. 34
 and H. B. No. 26, were placed on calendar
 for third reading.

The following reports were
 received.

Mr. President:

Your Committee on
 Engrainment beg leave to report that C. B.
 No. 34, "concerning deaf mutes and blind
 children", was referred to the Governor, for
 his consideration, at 9.30 (A. M.) March 3
 1887.

Kennedy
 Chairman.

Mr. President:

Your Committee on
 Incorporations to whom was referred H. B.
 No. 55, "relating to the organization and
 incorporation of building and loan
 associations", herewith return the same
 with the recommendation, that it do pass.
 J. C. Richards.

Mr. President:

Your Committee on
 Engrainment to whom was referred C. B.
 No. 119, "A bill for an act to declare and
 protect the legal and personal identity of

(Continued.)

of married women: C. B. (No. 50) "A bill for an act to place the inmates of insane asylums under the protection of the laws by securing to them their postal rights," have been correctly enrolled.

Kennedy Chairman.

Mr. President:

The majority of your Conference Committee on C. B. No. 4, "Requiring the publication of certain matters," beg leave to recommend that the House recede from its amendments, striking out Section 3, and that the Council concur in the other amendments of the House.

Kennedy Chairman.

H. B. No. 50 was placed on general orders.

On motion of Kennedy, the recommendation of the report of the Committee of Conference, on C. B. No. 4, were adopted, and the Council concurred in all House amendments, except the striking out of Section 3.

Collins by consent, introduced H. B. No. 58 "An act authorizing the Governor to restore the rights of citizenship to discharged convicts." Read first and second times.

On motion of Richards, the rules were suspended, the bill was considered & reported, read the third time by title, and passed by the following vote:

(Yeas:)	Batetucker,	Collins	Holladay
	Kennedy	Kennedy	Ponder
	Richards	Sutcliffe	Thompson
	Waters	Mr. President	11

Noes: None

Absent: Cardinal

Title agreed to.

Richards introduced, C. B. No. 59 "A bill for an act to punish seduction" Read first and second times; on motion of

(Continued)

Collins, the rules were suspended: the bill was considered engrossed: read third time by title, and passed by the following vote:

Ayes:	Batchelder	Collins	Holliday
	Mundley	Remedy	Pardee
	Rickards	Smithell	Thompson
	Waters	Mr. President	11

Noes	None	0
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Absent	Conover	1
--------	---------	---

Five agreed to.

The following Report was received.
Mr. President:

Your Special Committee appointed to inspect the Penitentiary and Insane Asylum, have performed their duties, and beg leave to report as follows:

At the Insane Asylum at Warm Springs, Deer Lodge Co., we found the present number of patients 134, 17 of whom are women: and while your Committee could suggest vast improvements in the necessary quarters, and rooms particularly, where the bad and violent cases are confined, they found the condition of the inmates, as good as could be expected: the patients being well fed and clothed, and humanely treated: we would accord great credit to the present contractors for the excellent manner in which they have conducted the institution.

But your Committee would earnestly recommend that arrangements be made at the earliest practicable date, for the care and safe keeping by the Territory of its insane; the

Committee being of the opinion that under the contract system, they cannot receive that attention and care which the Territory could give them in an institution of its own.

Holliday
Chairman

(Continued.)

(On motion of Parker, the Report of the contractor for keeping and medication of the insane, was ordered to be spread upon the journal of proceedings of the Council, To wit:

To His Excellency

Samuel P. Hauser
Governor of Montana Territory.

Sir,

In pursuance of my duty as contractor for the care and maintenance and medication of the indigent insane of the Territory of Montana, I most respectfully present to you my fourth biennial report dating from Jan. 1st 1885 to Dec. 31st 1886.

The following summary exhibits the number of patients in the asylum, Jan. 1st 1885; number admitted; number under care and treatment; number recovered and discharged; number discharged improved; number deaths and escapes, during the term from January 1st 1885 to December 31st 1886.

	Males	Females	Total
From January 1 st 1885 to Dec. 31 st 1886			
Number of patients Jan. 1 st 1885	81	10	91
" admitted from Jan. 1 st 1885 to Dec. 31 st 1886	109	26	135
	190	36	226
Number discharged recovered	65	15	80
" " improved	6	3	9
" died	11	1	12
" escaped	4		4
Discharged died and escaped	86	19	105
Number of patients remaining Jan. 1 st 1887	104	17	121

It will be seen by the foregoing table, that the term commenced with ninety one patients; that during the term there were admitted one hundred and thirty five; that eighty nine were discharged; four escaped and twelve died. Of the deaths, there were:

(Continued)

suffocated from smoke in a burning building. (On September 28th 1885 at half past 2 o'clock (A. M.) The night watchman discovered smoke issuing from a building in which three patients were confined: he at once gave the alarm, and opened the doors from which burst a heavy and stifling volume of smoke, which rendered it impossible to enter the building.

We then broke in the window on the opposite side of the house, which created a draft and enabled us to get the men out.

We found them completely asphyxiated. Every effort was made to revive them, but without success. One of them was slightly burned on the left leg and arm, and hence we concluded, that it was in his bedding that the fire originated: that he had smuggled in a pipe and matches; and whilst smoking, had gone to sleep. It was quite evident that they were suffocated during sleep, as no noise, or any kind was heard from the building! We had used every precaution against fire: the patient had been put to bed and the lights extinguished, about 8 o'clock P. M. There had been no fire in the building for four months. I notified the Coroner, who held an inquest: the jury, exonerated the management from all blame.

Three died from Epilepsy; two from Maracal Exhaustion; one from Pyloric Syphilis; one from Consumption, and two from Paralysis.

These results, excepting the last accident related above, are not only satisfactory, as compared with those of other institutions of the kind, but are highly gratifying to the management, as exhibiting a lower death rate, and higher percentage of discharges than the average of the Asylums and Hospitals of the United States.

Percentages of discharge in whole population	34.38
" " " deaths	5.3
" " " discharges	65.92

(Continued.)

Showing the Counties from which one hundred and thirty five patients were admitted from Jan. 1st 1885 to Dec. 31st 1886.

	Males	Females	Totals
Beaverhead County	3	1	4
Deer Lodge "	19	6	25
Choteau "	2		2
Grant "	6	3	9
Dawson "	1		1
Gallatin "	15	4	19
Jefferson "	3		3
Levi and Clarke "	20	4	24
Madison "	3	1	4
Meagher "	2	1	3
Missoula "	13	1	14
Silver Bow "	20	3	23
Yellowstone "	2	2	4
	109	26	135

Showing the Nationality of the one hundred and thirty five patients admitted from Jan. 1st 1885 to Dec. 31st 1886.

United States

	Males	Females	Totals
Alabama	1		1
Arkansas	1		1
Delaware		1	1
Georgia	2		2
Illinois	2	2	4
Indiana	2	1	3
Iowa	1		1
Kentucky	1		1
Louisiana	1		1
Maine	1		1
Maryland	2		2
Massachusetts	1		1
Missouri	3	2	5
Mississippi	1		1
Minnesota	1		1
Michigan	3	2	5
Montana Territory	2		2
Nebraska	1		1
Nevada	1		1
New Hampshire	1		1
New Jersey	1	1	2

(Continued.)

United States	Males	Females	Totals
New York	8	2	10
Ohio	2	1	3
Pennsylvania	3	2	5
Rhode Island	1		1
Utah Territory	1	1	2
Vermont	1		1
Wisconsin	3	2	5
West Virginia	4		4
	52	17	69

Foreign Countries	Males	Females	Totals
Austria	1		1
Bohemia	1		1
Canada	6	1	7
China	1		1
England	9	1	10
France	3		3
Germany	12	3	15
Ireland	21	3	24
Norway	1		1
Scotland	1	1	2
Switzerland	1		1
	57	9	66
United States	52	17	69
Grand Total	109	26	135

Recapitulation	Males	Females	Totals
United States	52	17	69
Foreign Countries	57	9	66
	109	26	135

Showing the ages at the time of admission into the asylum, January 1st 1885 to Dec. 31st 1886.

Ages	Males	Females	Totals
Less than 15 years	1		1
Between 15 and 20	6	3	9
" 20 " 25	7	2	9
" 25 " 30	16	7	23
" 30 " 40	44	9	53
" 40 " 50	21	4	25
" 50 " 60	10	1	11
" 60 " 70	3		3
" 70 " 80	1		1
Totals	109	26	135

(Continued)

Showing the supposed cause of insanity in one hundred and thirty five patients admitted in the asylum from January 1st 1885 to Dec. 31st 1886.

	Males	Females	Totals
Intemperance	20	6	26
Masturbation	17		17
Domestic Troubles	3	2	5
Religious Excitement	4	2	6
Epilepsy	9	2	11
Injury to Head	5		5
Hereditary	10	2	12
Child Birth		2	2
Typhoid Fever		1	1
Old Age	4	1	5
Want of Employment	2		2
Defective Organization	1		1
Dysmenorrhea		1	1
General Paralysis	1		1
Paralysis	1		1
Opium		1	1
Mental Anxiety	1		1
Disappointment in Love	2	1	3
Jealousy	1		1
Veneral Diseases	1		1
Fall from a Horse	1		1
Bite of a Rattlesnake	1		1
Syphilis	2		2
Spiritualism	1	1	2
Turn of Life		1	1
Uterine Trouble		1	1
Unknown	20	2	22
<u>Totals</u>	<u>109</u>	<u>26</u>	<u>135</u>

Showing the class of insanity of one hundred and thirty five patients at the time of admission January 1st 1885 to Dec. 31st 1886

Form of Disease	Males	Females	Totals
Mania	55	13	68
Monomania	18	11	22
Melancholia	8	3	11
Dementia	27	6	33
Idiocy	1		1
<u>Totals</u>	<u>109</u>	<u>26</u>	<u>135</u>

(Continued)

Table "F"

(Showing Civil Condition of one hundred and thirty five patients at the time of their admission, from January 1st 1885, to Dec. 31st 1886.

Civil Condition	Male	Female	Total
Married	36	12	48
Single	49	11	60
Widows		3	3
Widowers	8		8
Unknown	16		16
	109	26	135

Occupation of one hundred and thirty five patients admitted from January 1st 1885 to Dec. 31st 1886.

Occupation	Male	Female	Total
Laborers	35		35
Minor	25		25
Housewives		15	15
Farmers	7		7
Sheep Herders	5		5
House Servants		5	5
Carpenters	4		4
Engineers	2		2
Lumbermen	3		3
Cupians		4	4
Machinists	2		2
No Occupation	1		1
Lawyers	1		1
Stockmen	2		2
Convicts	1		1
Hotel Keepers		1	1
Unknown	1		1
Boy Boys	2		2
Physicians	2		2
Brick-masons	1		1
Reclers	1		1
Trunkers	1		1
Cooks	1		1
Steammen		1	1
Confectioners	1		1
Merchants	2		2
Bookkeepers	1		1
Blacksmiths			
Howard	102	26	128

(Continued)

	Male	Female	Totals
Brought Howard	102	26	128
Railroaders	2		2
Stone Masons	2		2
Bar Tenders	1		1
Restaurant Keepers	1		1
Boiler Makers	1		1
	109	26	135

Showing cause of death Eleven patients during the year from Jan. 1st 1885 to Dec. 31st 1886.

Months	Cause of death	Nationality	Age	Male	Female	Totals
Sept. 28 th 1885	Suffocated from Smoke	Missouri	34	1		1
	" " "	New York	40	1		1
	" " "	Scotland	28	1		1
Dec. 21 st 1885	Epilepsy	Connecticut	67	1		1
Nov. 27 th "	Maniacal Exhaustion	Vermont	36		1	1
Jan. 24 th 1886	General Paralysis	Ohio	39	1		1
March 16 th "	Epilepsy	Germany	51	1		1
May 10 th "	Paralysis	Sweden	30	1		1
Aug. 7 th "	Consumption	Illinois	39	1		1
Sept. 28 th "	Maniacal Exhaustion	Ireland	40	1		1
Oct. 18 th "	Epilepsy	Kentucky	43	1		1
March 16 th "	Primary Syphilis	Wisconsin		1		1
				11	1	12

Very Respectfully

A. W. Mitchell

Contractor

Warm Springs Insane Asylum
Deer Lodge County

Montana Territory

January 26th 1886.

The following communication from the House was received:

House of Representatives

Wolana Mt. Mar. 2^d 1887

Mr. President:

I am directed by the House to inform your Honorable Body That: Bills were introduced as follows:

(Continued.)

By Johnson: H. B. No. 91. "A bill for an act to amend Sections 5, 6, 10, 11, 15, 18 and 19 of an act entitled an act to suppress and prevent the dissemination of contagious and infectious diseases among domestic animals and Texas cattle." Approved March 10th 1885, and to add Section 20 thereto.

By Page: H. B. No. 95 "A bill for an act to amend Section 355, Title 10 Chapter 3 First Division Revised Statutes of Montana."

By Taylor: H. B. No. 96. "For an act to repeal Section 806 of the Revised Statutes," which on motion was laid on the table.

The House has concurred in Council amendments to H. B. No. 1.

H. Bill No. 83, H. J. R. No. 4, and C. Bills Nos 1, 31, and 32 have passed the House and they are herewith transmitted.

David Marks
Chief Clerk.

On motion of Collins, the yell were suspended, H. B. 83 was read first and second times its title and referred to Committee on Incorporation.

Mr. President announced the signing of C. Bills Nos 49 and 50

C. Bills, Nos 1, 31, and 32 were referred to Committee on Enrollment.

H. J. R. No. 4, being substituted for H. B. No. 60, was read first and second times and referred to Committee on Ways and Means.

H. B. No. 28 was read the third time, and on motion of Holliday, recommittees to Committee on Incorporation.

Mr. President announced the signing of H. J. R. No. 6, H. B. No. 43 and H. B. No. 29.

On motion of Kennedy, the third reading of H. B. No 26 was postponed until Saturday next.

H. J. R. No. 10 was read the third time and passed by the following vote

(Continued)

Ayes:	Balchittes,	Cardwell	Collins	
	Holliday	Honolulu	Rennedy	
	Pardue	Richards	Sullivan	
	Thompson	Mr. President		11
Noes	None			0
Absent	Waters			1

Put to a vote.

C. B. No. 54 was read the third time and on motion of Richards, referred to a Special Committee.

The Chair appointed Richards (Sullivan) and Waters such Committee.

A communication was received from the Governor, announcing his approval of C. B. No. 34.

The following Reports were received:
Mr. President:

Your Special Committee, appointed to inspect the Insane Asylum and Penitentiary have performed their duties and beg leave to report as follows:

We find the Penitentiary at Deer Lodge to be conducted in a creditable and humane manner; the prisoners with whom we conversed, being of one opinion as to their treatment being humane yet firm and unflinching; the cells both inside and out were neat and clean, yet some what small to accommodate two prisoners, each, their food healthy and abundant and yet the culinary facilities were inadequate for the necessities, and your Committee would suggest that more ample provisions in that respect be immediately made; their clothing and bedding is comfortable and warm; and the inmates, in their isolated and unfortunate condition pass their time in reading choice books and papers kindly furnished them by the Marshal. We do not think the sanitary condition of the institution is what it should be and recommend that provisions be made for placing traps in the cells for sanitary use.

Holliday
Chairman

(Continued.)

Mr. President;

Your Committee on Agriculture and Manufactures to whom was referred C. B. (No. 57) "A bill for an act to require the owners of barbed wire fences to keep the same in repair have had the same under consideration, and beg leave to report the bill back, with the recommendation that it do pass.

Cardwell

Chairman

C. B. (No. 57) was placed in general orders.

The Council resolved itself into Committee of the whole for the consideration of general orders.

Collins in the Chair.

Council resumed.

Mr. President in the Chair.

The following communication from the House was received:

House of Representatives

Wolena. Md. Mar. 3rd 1887

Mr. President:

As per your request, I am directed by the House to return to your Honorable body, H. B. No. 42.

David, Marks

Chief Clerk.

(The resolution of Kennedy, C. B. No. 44 was referred to Special Committee appointed by the Chair, consisting of Thompson, Collins and and Rickards.

The following Report was received:

Mr. President;

I am instructed by the Committee of the whole to report back C. B. No. 57 and C. B. (No. 55) with the recommendation that C. B. No. 57 "To require owners of barbed wire fences, to keep the same in repair, be amended, by striking out Section 2, and at amended No. 55.

That C. B. No. 55, "To authorize the organization and incorporation of building

(Continued.)

and loan associations," be amended by adopting the amendments hereto annexed, and that as amended, the bill do pass.

Collins

Chairman.

On motion of Collins, the amendments to H. B. No. 55 were adopted and referred to Committee on Engrossment.

On motion of Sutherland, the amendment to C. B. No. 57 was adopted and the bill ordered Engrossed.

On motion of Kennedy, Council took a recess until 2 P. M.

2. P. M.

Council resumed.

Mr. President in the Chair.

Roll called. Quorum present.

On motion of Collins, the rules were suspended, C. B. No. 33 was read the third time by its title and passed by the following vote:

Ayes:	Batchelder	Cardwell	Collins	
	Holladay	Hendley	Richards	
	Sutherland	Thompson	Waters	
	Mr. President			10

Noes	None		0
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Absent	Kennedy	Pardee	2
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Title agreed to.

Sutherland, by consent introduced C. J. R. No. 12 "To authorize the employment of additional clerks for the enrollment of bills"

Read first and second times; on motion of Sutherland, the rules were suspended, the resolution was considered engrossed, read the third time and passed by the following vote:

Ayes:	Batchelder	Cardwell	Collins	
	Holladay	Hendley	Pardee	
	Richards	Sutherland	Thompson	
	Waters	Mr. President		11

Noes	None		0
------	------	--	---

Absent	Kennedy		1
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Title agreed to.

(Continued)

The Council resolved itself into Committee of the whole.

Richards in the Chair.

The following Reports were received.
Mr. President:

I am instructed by the Committee of the whole to report back H. B. No. 28 as having been considered and to recommend that the amendments hereto annexed be adopted, and that as amended it do pass.

J. E. Richards,
Chairman.

Mr. President:

Your Committee on Enrollment beg leave to report that C. B. No. 49, "A bill for an act to declare and protect the legal and personal identity of married women, and C. B. (No. 50), "A bill for an act to place the inmates of insane asylums, under the protection of the laws by securing to them their portal rights" were presented to the Governor for his consideration at 1.30 P. M. March 9th 1887.

Agnewdy
Chairman.

Mr. President:

Your Committee on Printing beg leave to report Substitute to H. B. No. 27 "A bill for an act to regulate gambling as correctly printed.

Sutherland
Chairman.

On motion of Agnewdy, the amendments to H. B. No. 20 were adopted, and referred to Committee on Enrollment.

H. B. No. 27 was placed on general order.

The following Communication from the House was received.

House of Representatives
Held at Mt. Man (7th) 1887

Mr. President:

(Continued)

I am directed by the House to inform
Your Honorable body,
That:

Notices were given as follows:
By Johnson: "A bill for an act to
provide for the deposit of Public Money in
banks.

By Sevey: "A bill to provide for the
regulation of employees engaged in the
operating of railroad trains.

By Marshall: "A bill authorizing
the Governor to remove the disabilities
of a person convicted of felony after
expiration of sentence."

Bills were introduced as follows:

By Armstrong: H. B. No. 97 "An act
for the establishment of free libraries and
reading rooms in incorporated cities in
the Territory of Montana." Ordered printed.

By Blake: H. B. No. 98. "A bill for
an act to amend Sections 587, 589, 590
and 596 of the Code of Civil procedure
concerning Eminent Domain. Ordered printed.

By Ranous: H. B. No. 99 "A bill for
an act creating a Territorial Board of
Education." Ordered printed.

By Gorham: H. B. No. 100. "A bill
for an act to create the County of Cascade,
to define its boundaries, and to provide
for its organization."

The Speaker has signed H. Bills
Nos 29, 213 and 26 J. R. No. 6. Also C. Bills
Nos 119 and 30.

The House adopted the report of
the conference on H. B. No. 3 and the
bill was ordered enrolled.

The House concurred in Council
recommendations to H. B. (No. 34).

H. B. No. 36. C. Bills No. 16 are amended,
and No. 14, 3 are amended and C. J. R. No
11, have passed the House and they are
herewith transmitted

David Marks
Chief Clerk.

(Continued)

On motion of Kennedy,

The House amendments to C.B. No 45 were concurred in, and the bill referred to Committee on Enrollment.

C.B. No. 11 was referred to Committee on Enrollment.

On motion of Collins,

C.B. No 16 was referred to Committee on Incorporations

On motion of Kennedy,

The rules were suspended, H.B. No 36 was read first and second times by its title, and referred to Committee on Ways and Means.

The following reports were received:

Mr President,

~~who~~ Your Committee on Incorporations, to whom was referred H.B. No 28, "An Act concerning Railroad Corporations" herewith return the same with the recommendation that it do pass without further amendments

J. E. Richards Chairman

Mr. President,

A minority of the Committee on Incorporations, I recommend that H.B. No 28 be amended by inserting in Section 310, line six, after the word "miles", the words "upon each of its lines, branches or connections"

Kennedy

Readily in the chair.

On motion of Sutherland,

The recommendation of the minority report was adopted

The amendment to H.B. No 28 was adopted, and referred to the Committee on Enrollment.

Continued /

On motion of Richards, The Council adjourned
until tomorrow at 10 o'clock am.

William L. Davis
Chief Clerk

Council Journal - Fifty-fourth Day.

Council Chamber

Helena Montana,

March 4th 1887.

Council met at 10 am. pursuant to adjournment.

Mr President in the chair.

Roll called. Quorum present.

Prayer by the chaplain.

Journal of fifty third day read and approved.

Petitions were presented as follows:

By Richards - Petition of 338 residents of Silver Bow County for passage of law prohibiting gambling.

By Hunsley - Petition of residents of Missoula County on same subject; also, petition for law requiring saloons and business houses to remain closed on Sunday.

By Holliday - Protest against law increasing price of licenses for selling liquor.

Petitions received and ordered placed on file.

The following reports were received: -

Mr President,

Your Committee on Ways and Means, to whom was referred H. J. R. No. 7, "For the relief of John. K. Beidler" and H. J. R. No. 4, substitute for H. B. No. 60, "An act for the relief of Ash Bros." having had the same under consideration, beg leave to report the same back with the recommendation that they do pass.

Pardus, Chairman.

Mr President,

Your Committee on Ways and Means, to whom was referred C. B. No. 48, "A Bill for an act to restrict the duties of county clerks, probate judges and justices of the peace", and H. B. No. 44, "An act to amend section 380 of the fifth division of the Revised Statutes of Montana" having had the same under consideration; beg leave to report the same back without

(Continued)

Recommendation

Pardee, chairman

Mr President,

Your Committee on Enrollment, to whom was referred C. B. No 11, "To provide compensation for J. M. Steel and Frank A. Shaffer, accountants, ask to report the same correctly enrolled,

Kennedy chairman

Mr President,

Your Committee on Enrollment, to whom was referred C. B. No 31, "A Bill for an act to authorize the changing the names of persons and places" beg to report the same correctly enrolled,

Kennedy, chairman

Mr President,

Your Committee on Enrollment, to which was referred C. B. No 1, "An act amending section 529, of the fifth division of the Revised Statutes of Montana", beg leave to report it back as correctly enrolled,

Kennedy, chairman

Mr President,

Your Committee on Enrollment, to whom was referred C. B. No 32, "A Bill for an act providing for the adoption of children" beg to report the same correctly enrolled,

Kennedy

Mr President,

Your Committee on Engrossment, to whom was referred C. B. No 53, "A Bill for an act creating a Editorial Board of Medical Examiners, and defining their duties" beg to report the same correctly engrossed

Holladay, chairman

Mr President,

Your Committee on Engrossment, to whom was referred C. B. No 57, "A Bill for an act to require the owners of barbed wire fences

(Continued)

to keep the same in repair? Council amendments to H.B. No 55, "a Bill for an act to authorize the organization and incorporation of building and loan associations" beg to report them correctly engrossed.
Holladay, Chairman

Mr President, Your Committee on Engrossment, to whom was referred Council amendments to H.B. No 28, "A Bill for an act to amend Section 310 of the fifth division of the Revised Statutes of Montana"; H.B. No 20, "An act to establish a Hospital for the Insane" ask to report them correctly engrossed.
Holladay Chairman

To the President of the Council and the Speaker of the House of Representatives:-

As a member of the joint committee appointed to inspect the Insane Asylum and Penitentiary, I beg leave to submit the following minority report:

Your committee found, upon their visit to the penitentiary, that under the rules then in force the prisoners were receiving but two meals per day. Of this condition many of the territorial prisoners complained to me, on the ground that two meals per day were insufficient, and expressed a desire that immediate and proper steps should be taken to the end that three meals per day might be served during the period of their confinement. I am well aware that if the prisoners could have the selection of their own food that it is possible that two meals per day might be sufficient, but the quantity and quality, not being a matter of their own selection, it would seem necessary in order to properly sustain life, and with due regard to the health of the prisoners, that three meals per day should be furnished, and I respectfully recommend that in contracting for the care and feeding of the prisoners that three meals per day be demanded. I also found, from statements made to me by prisoners, that the guards are in the habit of punishing prisoners in their discretion, and without reference of case for punishment to the warden of the penitentiary. This is a matter which, in my judgment, should be speedily corrected.

(Continued)

and the guards prohibited from inflicting any punishment whatever upon any prisoner confined in the penitentiary, except the same be done under the supervision and by direction of the warden of the penitentiary.

I further found that there is no provision for extinguishing fire, and believe that prompt and proper action should be taken to the end that a fire department should be established within the penitentiary, or that other sufficient means be at once employed to enable them to extinguish fire.

I beg leave further to report that, in my judgment, some steps should be immediately taken which will enable the territorial prisoners to be employed at some kind of labor, in such manner as will conflict to the least possible extent with the products of the laborers in the general community.

Many of the prisoners urged me to attempt to bring about such an arrangement of their condition and confinement as will enable them to be employed. Confined as they are, with nothing to do when the term of their sentence has expired, they are turned loose upon the world, disheartened, in no condition to labor, and with no means of caring for themselves, and physically wrecked, to the extent that they are powerless, if they would in many instances overcome their evil habits formed prior to their confinement, and to enable them to rise, if they would, to the dignity of manhood. It has been truly said that an Idaho prison is the devil's workshop, and that when a man is turned loose after three or five years' confinement, physically unable to cope with other laborers in his struggle for existence, we have added to the possibilities of the commission of crime and have done nothing toward the reformation of the convict. I recommend that some steps be immediately taken whereby the territorial convicts can be employed as I have hereinbefore suggested, believing that reformation can only be effectually attained by preparing the criminals to care for himself after the expiration of his confinement.

E. C. Watson.

H. J. R. No 7, H. J. R. No 4 and C. B. No 48 were placed on general orders.

C. B. Bills Nos 44, 55, 28, 20, C. B. Bills Nos 53 and 57 were placed on calendar for third reading.

(Continued)

On motion of Parden,

H. B. No 44 was taken from calendar for third reading, and placed on general orders.

On motion of Collins,

The rules were suspended. H. B. No 55 was read the third time by its title, and passed as amended by the following vote -

Ayes - Batchelder, Parden, Sutherland, Thompson, Wakers,
Mr. President - 6

Noes - Collins, Cardwell, Holliday, Stundley - 4

Absent - Kennedy, Richards - 2

Title agreed to.

H. B. No 28 was read the third time.

On motion of Sutherland,

A call of the House was had, Roll called. Kennedy not being present, the sergeant-at-arms was ordered to bring in the absentees, who appeared, and on motion of Parden, further proceedings under the call were dispensed with.

On motion of Sutherland, the bill was referred to a select committee, and Kennedy, Sutherland and Wakers were by the chair appointed select committee.

On motion of Parden, the rules were suspended. H. B. No 28 was read the third time by its title, and passed as amended by the following vote -

Ayes - Batchelder, Cardwell, Holliday, Stundley,
Kennedy, Parden, Richards, Sutherland,
Thompson, Wakers, Mr. President - 11

Noes - None

Absent - Collins - 1

On motion of Parden, the title was amended so as to read "An act to establish and maintain an Hospital for the Insane".

A communication was received from the Governor, announcing that on March 3rd, 1889, he had approved and signed C. Bills Nos 49 and 50.

(Continued)

C.B. No 57 was read the third time and passed by the following vote -

Ayes - Batchelder, Cardwell, Holliday, Stundley, Kennedy,
Pardue, Richards, Sutherland, Thompson, Mr
President - 10

Noes - Waters - 1

Absent - Collins - 1

Title agreed to

Mr President announced the signing of C. J. R. No 11.
C.B. Nos 1, 31 and 32

On motion of Pardue, The rules were suspended, C.B.
No 53 was read the third time by its title, and passed
by the following vote:

Ayes - Batchelder, Cardwell, Stundley, Kennedy, Pardue,
Thompson - 6

Noes - Holliday, Sutherland, Waters, Mr. President - 4

Absent - Collins, Richards - 2

On motion of Pardue, The title was amended so as to
read "A bill for an act creating a Board of
Medical Examiners and Board of Health, and
defining their duties"

On motion of Kennedy, The Council took a recess
until 2 o'clock p.m.

2. P.m.

Council resumed, Mr President in the chair.

Roll called, Quorum present.

The following reports were received:

Mr President

Your Committee on Enrollment beg leave
to report that C.B. No 1, amending Section 529 of the
Fifth division of the Revised Statutes of Montana; C.B.
No 31, authorizing the changing of names of towns
and places; C.B. No 32, concerning the adoption of
children; and C. J. R. No 11, for the relief of Mrs. Steel
and Frank Shaffer, were presented to the Governor
for his consideration at 11:45 p.m. March 4.

Kennedy, chairman

(Continued)

Mr. President,

Your Committee on Incorporations has considered C.B. No 16, "Concerning banks and banking" and recommend that the House amendments be non-concurred in, and that the Council ask for a conference committee of one from each house to consider the bill and amendments.

Richards, chairman

Mr. President,

Your Committee on Ways and Means, to whom was referred H. J. R. No 3. "For the relief of Anselm J. Davidson and Wm A. Baldwin" having had the same under consideration, most respectfully report the same back with the recommendation that it do pass.

Waters.

Collins

Mr. President,

Your special committee on H.B. No 28⁽²⁸⁾ amending Section 310 of the fifth division of the Revised Statutes, begs leave to recommend the submitted amendments, and that so amended the bill do pass.

Kennedy chairman

Mr. President,

Your Committee on Ways and Means, to whom was referred H.B. No 36 "An Act concerning licenses" Having had the same under consideration, beg leave to report the same back without recommendation.

J. N. Pardee, chairman

On motion of Collins, The recommendations of the Committee on Incorporations in regard to C.B. No 16 were adopted, the Council refused to concur in House amendments, and the Chair appointed Collins to act on the part of the Council as Committee of conference.

On motion of Kennedy, The amendments to H.B. No 28 were adopted, considered Engrassed and the bill placed on its final passage. The bill was read the third time and passed by the following vote! -

(Continued)

Ayes- Batchelder, Bardevel, Collins, Holliday, Hundley,
Kennedy, Richards, Sutherland, Waters, Mr
President - 10

Noes - Pardee - 1

absent - Thompson - 1

Bill agreed to.

H. J. R. No 3 and S. B. No 36 were placed on general orders.

The Council resolved itself into Committee of the Whole for the consideration of general orders. Pardee in the chair.

Council resumed, Mr President in the chair.

The following reports were received -

Mr President,

I am instructed by the Committee of the Whole to report back H. J. R. No 2 "For relief of A. Beidler" without recommendation, and in regard to the following bills, recommending

That H. J. R. No 4, "Substitute for S. B. No 60, "For relief of Fisk Bros" do pass.

That S. B. No 48, "To restrict the duties of county clerks, probate judges, and justices of the peace" do not pass.

That H. J. R. No 3, "For the relief of Asaalem J Davidson and William N. Baldwin" do pass.

That S. B. No 36, "Concerning Licenses" be referred to a special committee, to report at 7 p.m. today, the amendments recommended by Committee of the Whole and such others as they may deem needful.

That S. B. No 27 be postponed until next session of the committee.

J. R. Pardee, chairman

Mr President,

Your Committee on Judiciary, to which was referred C. J. R. No 9, "Authorizing Chas W Snell to compile, arrange, print and publish the general and permanent laws of the Territory of Montana etc," beg leave to report that it has carefully considered the same, and recommends that it do not pass

Collins, chairman

(Continued)

Mr President

Your select committee, to which was referred C.B. No 44, "An act for the care and maintenance of orphan children" was referred, has considered the same, and begs leave to report the following amendment therefor, and to recommend that such amendment be adopted

Collins

Thompson

Sutherland

Mr President

Your Committee on Judiciary, to which was referred C.B. No 51, "An act concerning fees of expert witnesses and jurors", has considered the same, and suggests the following amendment, to wit: strike out the words "five dollars" in line 5 of section 2, and insert ~~the~~ lieu thereof the following:— "The following fees, to wit: to the physician empaneled on such jury the sum of five dollars; each other person empaneled on such jury the sum of three dollars; and as thus amended recommends its passage"

Collins, Chairman

On motion of Collins, The amendments to C.B. No 51 were adopted, and the bill referred to Committee on Engrasement.

On motion of Kennedy, C.J. R. No 9 was laid on the table.

On motion of Collins, The amendments to C.B. No 44 were adopted, and placed on general orders.

C.J. R. Nos. 2, 3 and 4 were placed on calendar for third reading.

On motion of Collins, The recommendations of the Committee of the whole concerning C.B. 36 were adopted, and the bill was referred to a special committee appointed by the chair, and consisting of Kennedy, Holliday and Sutherland.

On motion of Kennedy, The consideration of C.B. No 48 was indefinitely postponed.

(Continued)

A communication was received from the Governor announcing his approval on this day of C.Bills Nos 31 and 32 and C.J. R. No 11.

The following communication from the House was received

Helena M.T. March 14, 1887

Mr President,

I am directed by the House to inform your honorable body that

C.Bills were introduced as follows:-

By Marshall - C.B. No 101, "An act concerning mortgages on both real and personal property." Ordered printed.

By Johnson - C.B. No 102, "Bill for an act to provide for the deposit of public funds in Banks."

Mr. speaker has signed C.Bills Nos 1, 31, 32 and C.J. R. No 11

C.J. R. Nos - and C.B. No 29 have been laid upon the table. C.Bills Nos 24 as amended, 27 as amended, and No. 30 as amended; also, C.Bills Nos 6 and 58 have passed the clause, and they are herewith transmitted.

C.Bills Nos 35, 38 and 59 have passed, and they are herewith transmitted.

The House has concurred in Council amendments to C.B. No 55

The House refuses to concur in Council amendments to C.B. No 20, and respectfully asks the Council to recede therefrom. The bill is herewith returned.

C.B. No 25 was read a third time and lost, and the same is herewith transmitted.

David Marks

Chief Clerk

On motion of Richards, The Council concurred in House amendments to C.B. No 24, and the bill was ordered Enrolled. On motion of Lutherlin, The Council, ~~concurring~~ in House amendments to C.B. No 27, Ordered enrolled.

On motion of Lutherlin, The Council concurred in House amendments to C.B. No 30, ordered enrolled.

On motion of Penney, The Council refused to recede from its amendments to C.B. No 20

(Continued)

Bills Nos 6 and 58 were referred to Committee on Enrollment.

On motion of Collins, The rules were suspended, S.B. No 35 was read first and second times by its title, and referred to Committee on Education and Labor.

On motion of Collins, The rules were suspended, S.B. No 38 was read first and second times by its title, and referred to Committee on Roads and Highways.

On motion of Collins, The rules were suspended, S.B. No 59 was read first and second times by its title, and referred to Committee on Mines and Minerals.

On motion of Cardwell, The Council adjourned until tomorrow at 10 o'clock a.m.

Reuben L. Davis
Chief Clerk

Council Journal Fifty fifth Day.

Council Chamber
Helena, M.T., March 5, 1887

Council met at 10 am, pursuant to adjournment.
Mr President in the chair.

Roll called. Quorum present.

Prayer by the Chaplain

Journal of Fifty fourth day read and approved.

Collins presented protest of citizens of Chouteau County against county division.

The following communication from the House was received -
House of Representatives,
Helena M.T., March 4, 1887.

Mr President,

I am directed by the House to inform your honorable body that
C. J. R. No 10, C. J. R. No 12 as amended, and H. B. No. 76 have passed the House, and they are herewith transmitted.

H. B. No 77 has been laid on the table.

David Marks

Chief Clerk.

C. J. R. No 10 was referred to Committee on Enrollment.

On motion of Kennedy, The Council concurred in House amendments to C. J. R. No 12, and this bill was referred to Committee on Enrollment.

The following reports were received;

Mr President,

Your Committee on Mines and Minerals, to whom was referred H. B. No 59, "An act to amend an act concerning the representation of quartz lodes," having had the same under consideration, beg leave to report the same back with the recommendation that it do pass

J. H. Pardee Chairman

(Continued)

Mr President, Your Committee on Roads and Bridges, to whom was referred H.R. No 38, have had the same under consideration, and recommend that it do pass

Holliday, chairman

Mr President, Your Committee on Incorporations, to whom was referred H.R. No 67, "In relation to the alienation of mining property by corporations" herewith return the same with recommendation that it do pass

J. E. Richards, chairman

Mr President, Your Committee on Incorporations, to whom was referred H.R. No 83, 'a Bill for an act concerning savings banks and trust deposit and security associations' herewith return the same without recommendation

J. E. Richards, chairman

Mr President, Your Committee on Engraving, to whom was referred C.D. No 51, "An act concerning expert witnesses and jurors" ask leave to report it correctly engrossed.

Holliday, chairman

Mr President, Your Committee on Military Affairs, to which was referred H.R. No 90, "To provide for keeping the military stores" begs leave to report it back with the recommendation that the subjoined amendment be adopted, and that the bill do pass as amended

Kennedy, chairman

Mr President, Your special committee, to whom was referred H.R. No 54 relating to "The better protection of game and fish and for the creation of the office of game and fish detective" report the same back without recommendation

J. E. Richards, chairman

(Continued)

H. Bills Nos 59, 38, 67, 83 were placed on general orders.

On motion of Kennedy, The amendments to H.B. No 90 were adopted, The rules were suspended, and the amendments considered Engrossed.

C.B. No 51 and H.B. No 90 were placed on calendar for third reading.

The special committee on H.B. No 36 were allowed until 2 p.m. to report.

Richards moved that H.B. No 36 be made the special order for 2:30 p.m. which was lost.

On motion of Pardee, The consideration of C.B. No 54 was indefinitely postponed.

H.B. No 76 was read first and second times, and placed on general orders.

On motion of Collins, H.B. No 26 was read the third time by its title, placed on its final passage, and lost by the following vote:

Ayes - Batchelder, Holliday, Pardee, Richards,
 Akins - 5
 Nays - Cardwell, Collins, Munday, Kennedy,
 Sutherland, Thompson, Mr President - 7

Mr. President gave notice of motion for reconsideration of the vote on H.B. No 26.

H. J. O. No 4 was read the third time, and passed by the following vote:

Ayes - Batchelder, Cardwell, Collins, Holliday,
 Munday, Pardee, Richards, Sutherland,
 Thompson, Waters, Mr President - 11

Nays - Kennedy - 1
 Aye agreed to.

On motion of Sutherland, - H. J. O. No 2 was referred to a select committee to report at 2 p.m. The chair appointed Sutherland, Thompson and Waters such committee.

(Continued)

H. J. R. No 3 was read the third time, and passed by the following vote:

Ayes - Batchelder, Cardwell, Collins, Holliday,
Mundley, Kennedy, Parden, Richards,
Sutherland, Thompson, Waters, Mr President - 12

Noes - None.

Title agreed to.

The following Report was received
Mr President,

Your Committee on Enrollment, to whom was referred C. J. R. No 12, "To authorize the employment of additional clerks" ask leave to report the same correctly enrolled

Kennedy, chairman

Waters, (by consent) introduced C. J. R. No 13, "For the relief of Farragut Post No 7, G. A. R."
Read first and second times.

On motion of Sutherland, The rules were suspended, The resolution was considered Engrassed, Read the third time and passed by the following vote:

Ayes - Batchelder, Cardwell, Collins, Holliday,
Mundley, Kennedy, Parden, Richards,
Sutherland, Thompson, Waters, Mr President - 12

Noes - None

Title agreed to

Cardwell introduced C. J. R. No 14, "To defray the expenses of the joint committee visiting the Penitentiary and the Territorial Insane Asylum, and for other purposes" Read first and second times.

On motion of Cardwell, The rules were suspended, The resolution was considered Engrassed, read the third time and passed by the following vote:

Ayes - Batchelder, Cardwell, Collins, Holliday,
Mundley, Kennedy, Parden, Richards,
Sutherland, Thompson, Waters, Mr President - 12

Noes - None

Title agreed to

H. J. R. No 90 was read the third time and passed by the following vote:

(Continued)

Ayes- Batchelder, Cardwell, Collins, Holliday,
Hundley, Kennedy, Pardee, Richards, Sutherland,
Thompson, Waters, Mr President. 12

Noes none.

Bills amended so as to read "A Bill for an act to provide for the keeping of the military stores and for other purposes"

C. B. No 51 was read the third time, and passed by the following vote:-

Ayes- Batchelder, Cardwell, Collins, Holliday,
Hundley, Richards, Sutherland, Thompson,
Waters, Mr. President - 10

Noes- Kennedy, Pardee - 2

Bills amended so as to read "An act concerning the fees of expert witnesses and jurors."

Council resolved into Committee of the whole for the consideration of general orders, Collins in the chair.

Council resumed. Mr President in the chair.

Collins, Chairman of Committee of the whole, reported progress, and the Committee was granted leave to sit again.

Mr. President announced the signing of C. J. R No 12

On motion of Kennedy, The Council took a recess until 2 p.m.

2 p.m.

Council resumed. Mr President in the chair

Roll called. Quorum present

The following report was received:-

Mr. President,

The undersigned Committee of Conference on C. J. R. No 16, "An act concerning Banks and Banking" have considered the same, and respectfully recommend that all the House amendments be adopted, and that the annexed additional amendments

(Continued)

do pass

J. E. Collins;

Committee on behalf of the Council.

A. N. Black,

Committee on behalf of the House.

On motion of Collins, the amendments to C.B. No 16 were adopted, and considered engrossed.

Mr. President announced the signing of H. Bills Nos 62, 71, 34, 41, 23 and 52

The following report was received:-

Mr President,

Your Committee on Enrollment begs leave to report that C. J. R. No 12 "authorizing the appointment of additional clerks" was presented to the Governor for his consideration at 1:30 p.m. March 5, 1887

Kennedy, chairman

A communication was received from the Governor announcing his approval on this day of C.B. No 1 and C. J. R. No 12

By consent, the following reports were received:-

Mr President,

Your Committee on Education and Labor, to whom was referred H.B. No 35, "Relating to liens of mechanics and others" do respectfully recommend that it do pass

J. E. Richards, chairman

Mr President,

Your special committee, to whom was referred H.B. No 36, "A Bill for an act concerning license" begs leave to report that the same has been considered and amended, and as so amended recommend that it do pass

H. D. Kennedy
Chairman

(Continued)

Mr President,

That, your special committee, to whom was referred C.B. No 46, "A Bill for an act to provide for the establishing of graded school districts" having had the same under consideration, beg leave to report the bill back with the recommendation that it be indefinitely postponed

Thompson
- Collins

Richards made a verbal minority report, recommending that the bill be not postponed

SBills Nos 35 and 36 were placed on general orders.

On motion of Waters, the majority report on C.B. No 46 was adopted.

Thompson moved that C.B. No 46 be indefinitely postponed.

A vote by ayes and noes being called for by Richards, the motion was carried by the following vote:-

Ayes- Batchelder, Cardwell, Collins, Holliday,
Kennedy, Thompson, Waters, Mr. President & 8
Noes- Hundley, Parker, Richards, Sutherland - 4

The following communication from the House was received:

House of Representatives,
Wheeler, N.J. March 5, 1887.

Mr President,

I am directed by the House to inform your honorable body

that the House concurred in Council amendments to SB. No 28

The Chair has appointed as a member of the conference on the part of the House on C.B. No 16, Mr. Blake.

Bills were introduced as follows:

By Scober - SB. No 103. An act to improve the efficiency, morality and general standing in railway service, and to further insure the safety of the traveling public. Ordered printed

(Continued)

By Hanscom- H.B. No 104. "An act providing for a Territorial Inspector of Boilers and Stationary Engines" Ordered printed.

H Bills Nos 65 and 72 have passed the House, and they are herewith transmitted

David Marks
Chief Clerk

On motion of Parker, The rules were suspended, H.B. No 65 was read first and second times by its title and placed on general orders

H.B. No. 72 was read first and second times, and on motion of Hendley, placed on general orders.

The Council resolved into Committee of the whole for the consideration of general orders, Collins in the Chair.

Council resumed. Mr President in the Chair

A communication from the House was received.

The following reports were received:-

Mr President, Your committee on Enrolment, to whom was referred H.B. No 30, "An act increasing the salaries and bonds of Territorial Auditor and Treasurer, ask leave to report the same correctly enrolled
Kennedy chairman

Mr President, Your Committee on Enrolment beg leave to report that Wm F Wheeler and James B. Kelly have been appointed as additional clerks to enroll bills and do such other work as may be required of them, in accordance with the provisions of C.B.R. No 12

Kennedy, chairman

(Continued)

Cardwell demanded that a call of the House be had. Roll called. Members not being present, the sergeant-at-arms was ordered to bring in the absentees, who appeared, and all further proceedings under the call were dispensed with.

Council resolved itself into Committee of the whole for the consideration of general orders, Collins in the chair.

Council resumed, Mr. President in the chair.

A communication from the House was received.

Council resolved itself into Committee of the whole for the consideration of general orders, Collins in the chair.

Council resumed, Mr. President in the chair.

Mr. President announced the signing of C.B. No 30.

The following report was received:

Mr. President,
Your Committee on Enrollment beg to leave to report that C.B. No 30, "Increasing the salaries and bonds of the Territorial Auditor and Treasurer," was presented to the Governor for his consideration at 4:55 p.m., March 5, 1889.
Kennedy, chairman

A communication was received from the Governor, announcing his approval on this day of C.B. No 30.

The following communications from the House were read:

House of Representatives
Held at N. J. March 5, 1889

Mr. President,

I am directed by the House to inform your honorable body that the House recedes from its amendments to C.B. No 4, in striking out Section 3.

(Continued)

A.B. No 64 has passed the House, and is herewith transmitted

David Marks
Chief Clerk

House of Representatives
Helenq. Md., March 5, 1887

Mr President,

I am directed by the House to inform your honorable body, that the report of the conference committee on C.B. No 16 has been adopted, and the bill is herewith transmitted. The House concurs in Council amendments to A.B. No 90.

David Marks
Chief Clerk

C. Bills Nos 4 and 16 were referred to Committee on Enrollment

On motion of Kennedy, The rules were suspended, A.B. No 64 was read first and second times by its title, and placed on general orders.

Kennedy moved that the Council adjourn until Monday at 10 am.

Thompson moved to amend by striking out 10 and inserting 9, which was lost.

The original motion carried, and the Council adjourned until Monday next at 10 am.

Andrew B. Davis
Chief Clerk

Council Journal - Fifty-seventh Day

Council Chamber,
Helena, M.T., March 7, 1887

Council met at 10 o'clock a.m., pursuant to adjournment, Mr President in the chair

Roll called. Quorum present.

Prayer by the Rev Mr Nutting

Journal of fifty-sixth day read and approved.

The following reports were received:-

Mr President,

Your Committee on Enrollment, to which was referred C.B. No. 6, "An act to amend article 1, of chapter 15, of the fifth division of the Revised Statutes of Montana, relating to corporations for industrial or productive purposes"; C.B. No 24, "Relating to the protection, employment, and adoption of children"; C.B. No 27, "An act to punish persons for making fraudulent pedigrees of live stock"; C.B. No 58, "Authorizing the Governor to restore the rights of citizenship to discharged convicts"; and C. J. R. No 10, "To defray the expenses of the executive department," would report the same back as correctly enrolled.

Kennedy, Chairman

Mr President,

The majority of your special committee having had H.B. No 42, being a "Bill for an act relating to elections" under consideration, beg leave to report the same back with the annexed amendments, and when so amended recommend that it do pass.

Thompson
Collins

Richards, of same committee, made a verbal minority report, recommending that the bill pass without amendment.

The following report was received:

Mr President,

Your special committee has had H. J. R. No 2, "For the relief of John T. Biddle" beg leave to report that it has considered the same, and recommends that the following amendments be made, and also

{Continued}

amended the resolution do pass

Butler
Thompson
Haters

Mr President,

The Committee of the Whole has considered H.B. No 36, "Concerning licenses" and recommends that it do pass with the annexed amendments

Collins, chairman

Mr President,

The Committee of the Whole has considered H.B. No 38, "Concerning roads and highways" and recommends that it be amended as annexed (and that as so amended it do pass

N.E. Collins, chairman

Mr President,

Your Committee on Engrossment, to whom was referred H.J.R. No 2 "For the relief of John X. Beidler" ask leave to report the amendments thereto correctly engrossed

Halliday, chairman

On motion of Kennedy, H.B. No 42 was placed on general orders.

On motion of Lutherlin, The amendments to H.B. No 2 were adopted, and referred to Committee on Engrossment

On motion of Collins, Amendments Nos 1 to 12, inclusive, to H.B. No 36 were adopted, and the other amendments thereto were rejected. Referred to Committee on Engrossment.

Mr President announced the signing of H. J. R's, Nos 3 and 4 and H. Bills Nos. 28, 5, 60 and 35, C.J. R. No 10, and C. Bills Nos 27, 24, 58 and 6

On motion of Kennedy, The amendments to H.B. No 38 were adopted, considered engrossed, and the bill placed on calendar for third reading

H.J.R. No 2 was placed on calendar for third reading

(Continued)

The following communication from the House was received:-

House of Representatives
Helena M.T., March 5, 1887

Mr President,

I am directed by the House to inform your honorable body that the House concurs in all amendments to H.B. No 20, except that suggested in line 3, section 10, also line 5, section 15, also lines 6 and 7, section 15; also the proviso added to section 30. The bill is hereby transmitted. The Governor has today approved H.Bills Nos 34, 62, 57, 41, 23, 1 and 71

David Marks
Chief Clerk

On motion of Holliday, The Council refused to recede from its amendments to H.B. No 20, and requested that the bill be referred to a conference committee of four. The Chair appointed Collins and Kennedy to act on said committee on the part of the Council.

The following communication from the House was received,

House of Representatives
Helena M.T., March 5, 1887

Mr President,

I am directed by the House to inform your honorable body that H.Bills Nos 57, 81, 85 and 95 have passed the House, and they are herewith transmitted. H.B. No 79 and C.B. No 53 have been lost, and the latter is herewith transmitted

David Marks
Chief Clerk

On motion of Kennedy, The rules were suspended. H.B. No 57 was read first and second times by its title, and referred to the Committee on Education and Labor.

On motion of Kennedy The rules were suspended. H.B. No 81 was read first and second times by its title, and placed on general orders.

(Continued)

St. B. No 95 was read first and second times, and referred to Committee on Judiciary

On motion of Kennedy, The rules were suspended, St. B. No 85 was read first and second times by its title and placed on general orders

St. J. R. No 2 was read the third time and lost by the following vote:

Ayes - Cardwell, Holliday, Hurdley, Waters - 4
 Noes - Batchelder, Kennedy, Richards, Aurtherlin, Thompson, Mr President - 6
 Absent - Collins, Pardee - 2

On motion of Kennedy, The rules were suspended. St. B. No 38 was read the third time by its title and placed on final passage. The Bill passed by the following vote: -

Ayes - Batchelder, Cardwell, Holliday, Hurdley, Kennedy, Richards, Aurtherlin, Thompson, Waters, Mr President - 10
 Noes - None
 Absent - Collins, Waters - 2
 Title agreed to

On motion of Hurdley, St. B. No 85 was placed at head of calendar of general orders

The Council resolved itself into Committee of the whole for the consideration of general orders. Thompson in the chair.

Council resumed, Mr President in the chair.

The following report was received:

Mr President,

Your Committee of the whole, having considered the following bills, would report them back with the recommendation that

That St. B. No 85, 72, 81, 44, as amended, do pass.

That the amendments to St. B. No 27, except that part thereof included between the words "apartment" in line 7 and "without" in line 14. of section 1 be adopted, and that the bill as amended do pass

Thompson, chairman

(Continued)

On motion of Kennedy, The amendments to H. B. No 27 as reported by the Committee of the whole were adopted, and referred to Committee on Engravesment.

On motion of Kennedy, The amendments to H. B. No 44 were adopted. The rules were suspended, the bill was considered Engrossed and placed on calendar for third reading.

H. Bills Nos 85, 72 and 81 were placed on calendar for third reading.

The following communication from the House was received:-

House of Representatives
Helena M. T., March 7, 1889

Mr President,

I am directed by the House to inform your honorable body that

Bills were introduced as follows:-

By Mantle - H. B. No 105 - "An act to authorize married women to transact business in their own names as sole traders"

By Blake - H. B. No 106 - "An act concerning the construction of certain statutes"

Mr Speaker has signed H. & R. Nos 3 and 4, H. Bills Nos. 5, 55, 28 and 90, and C. B. Bills Nos. 24, 27, 58, 6 and C. J. R. No 10

C. B. Bills Nos 42 and 51 have been laid on the table.

H. J. R. No 7, H. Bills 80, 82, 63 and 73 and C. J. R. No 13 and C. B. No 33 have passed the House, and they are herewith transmitted

David Marks,
Chief Clerk

C. J. R. No 13 and C. B. No 33 were referred to Committee on Engravesment.

On motion of Kennedy, Council took a recess until 2 p.m.

2 p. m.

Council resumed, Mr President in the chair.

Roll called. Quorum present.

(Continued)

H. J. R. No 7 was read first and second times, and referred to Committee on Judiciary.

The following reports were received:-

Mr President,
Your Committee on Enrollment beg leave to report that H. B. No 6, "amending Chapter 15, Fifth division of the Revised Statutes"; H. B. No 7, concerning protection, employment and adoption of children; C. B. No 7, "Prohibiting the making of fraudulent pedigrees of live stock"; C. B. No 58, "authorizing the Governor to restore discharged convicts to citizenship"; and C. J. R. No 10, "to defray the expenses of the Executive department" were presented to the Governor for his consideration at 1:50 p.m. March 7.
Kennedy, Chairman

Mr President,
Your Committee on Engrossment, to whom was referred H. B. No 36, "An act concerning licenses" ask leave to report the same correctly engrossed.
Edliday, Chairman

H. B. No 36 was placed on calendar for third reading.

H. B. No 80 was read first and second times

on motion of Kennedy. The rules were suspended, and the bill was placed on calendar for third reading.

H. B. No 63 was read first and second times

on motion of Kennedy. The rules were suspended, and the bill was placed on calendar for third reading.

H. B. No 82 was read first and second times, and

on motion of Sutherland, The rules were suspended, and the bill was placed on calendar for third reading.

H. B. No 73 was read first and second times, and

on motion of Sutherland, referred to Committee on Judiciary.

(Continued)

H.B. No 81 was read the third time and passed by the following vote:

Ayes - Batchelder, Cardwell, Holliday, Munday,
Kennedy, Richards, Sutherland, Thompson,
Waters, Mr President - 10

Noes - none

Absent - Collins, Parden - 2

Title agreed to

On motion of Cardwell, The rules were suspended, H.B. No 44 was read the third time by its title, and placed on its final passage. The bill passed by the following vote:

Ayes - Batchelder, Cardwell, Holliday, Munday,
Kennedy, Richards, Sutherland, Thompson, Waters,
Mr President - 10

Noes - none

Absent - Collins, Parden - 2

Title agreed to.

On motion of Kennedy, The rules were suspended, H.B. No 72 was read the third time by its title and placed on its final passage. The bill passed by the following vote:

Ayes - Batchelder, Cardwell, Collins, Holliday, Munday,
Kennedy, Richards, Sutherland, Thompson, Waters,
Mr President - 11

Noes - none

Absent - Parden - 1

Title agreed to

H.B. No 85 was read the third time and passed by the following vote:

Ayes - Batchelder, Cardwell, Holliday, Munday, Kennedy,
Richards, Sutherland, Thompson, Waters, Mr President - 10

Noes - none

Absent - Collins, Parden - 2

Title agreed to

The following report was received:—

Mr President,

Your Committee on Engraving, to whom was referred Council amendment to H.B. No 27, "an act to regulate gambling," do hereby report the same correctly engraved.

Holliday chairman

(Continued)

St. B. No 27 was placed on calendar for third reading;

On motion of Kennedy
St. B. No 36 was read the third time by its title and
placed on its final passage. The bill passed by the following
vote:-

Ayes- Batchelder, Cardwell, Holliday, Kennedy, Sutherland,
Thompson, Mr. President - 7

Noes- Hundley, Richards, Waters - 3

Absent- Collins, Pardee - 2

Title agreed to

St. B. No 27 was read the third time, and passed as amended
by the following vote:-

Ayes:- Batchelder, Cardwell, Collins, Holliday, Hundley,
Kennedy, Sutherland, Thompson, Waters, Mr. President - 10

Noes- Richards - 1

Absent- Pardee - 1

Title agreed to

The following message from the Governor was received,
and on motion of Sutherland, was referred to conference
committee on St. B. No 20.

Territory of Montana,
Governor's Office,
Helena, March 7, 1887

Gentlemen of the Legislature Council:

I have the honor to call your attention
to the necessity of some additional legislation upon
the subject of insane persons (the worst of all afflictions
to which our race is subject).

The history of that disease upon the
human family has demonstrated the fact that a large
per cent. of those adjudged by courts and juries to be in-
sane, and placed for care and treatment within the
curative homes provided for them by the Government, have
been restored to their reason, or so much improved that
they deserve to be, and have been, discharged from that
confinement, and turned out a gain as reasonable
and free subjects.

The Territory of Montana has made
liberal and humane provisions for the care and treatment

(Continued)

of all that unfortunate class of its population; but there is no provision of law sufficiently explicit upon the point at which, and when, they may and should be discharged; nor is there any provision of law under which the indigent ones of those confined there can be sent away comfortably clad and with means of subsistence for any time while returning to friends or searching for employment.

I am advised that when such persons have been discharged heretofore, the physicians in charge of the asylum have generously supplied their necessities, but to do so they drafted upon their own private funds; whereas the territory should supply a fund for that purpose.

I recommend that you enact before your final adjournment a law which will cover these defects, the statutes upon that subject

Respectfully
J. H. Leslie,

The following report was received:

Mr President,

Your Committee on Enrollment, to which was referred C.B. No 16, "Concerning Banks and Banking" begs leave to report it correctly enrolled.
Kenney, Chairman.

Stundley (by consent) introduced C.B. No 60, "a Bill for an act to amend an act concerning the inmates of public institutions". Read first and second times, and referred to special committee of conference on C.B. No 20.

The Council resolved itself into Committee of the Whole for the consideration of general orders, Thompson in the Chair.

Council resumed. Mr President in the Chair.

Thompson from Committee of the Whole reported progress, and was granted time to prepare report.

Stundley in the Chair.

(Continued)

Mr President moved that the vote by which St B. No 26 was lost on Saturday be reconsidered.

Collins rose to a point of order. That the motion to reconsider was not made on the same day when the vote decided to be reconsidered was taken nor on the day following.

The Chair decided the point of order well taken.

Holliday appealed from the decision of the Chair.

A vote by ayes and noes being demanded by Collins, the decision of the Chair was not sustained, the vote being as follows:-

Ayes- Gardwell Collins, Hundley, Sutherland, Thompson - 5.

Noes - Batchelder, Holliday, Kennedy, Richards, Waters, Mr President - 6

Absent - Pardee - 1

The motion to reconsider the vote on St B. No 26 was lost by the following vote:-

Ayes - Batchelder, Holliday, Richards, Waters, Mr President - 5

Noes - Gardwell, Collins, Hundley, Kennedy, Sutherland, Thompson - 6

Absent - Pardee - 1

The following report was received:-

Mr President,

Your Committee on Judiciary, to whom was referred substitutes for St. B. No 95, "An act to amend section 305 of the first division of the Revised Statutes" and St. J. R. No 1, "To compensate the judges of the District Courts" have examined the same, and recommend that they do pass. St. B. No 73, "An act authorizing the appointment of stenographers by the District Courts", your Committee recommends the annexed amendments, and also amended that the bill do pass.

J. E. Collins, Chairman.

On motion of Collins, the amendments to St. B. No 73 were adopted and referred to Committee on Engrossment.

St. J. R. No 7 was placed on general orders.

(Continued)

The following communication from the Governor was received; and referred to Committee on Education and Labor.

Territory of Montana
Governor's Office,
Helena, March 7, 1887

Gentlemen of the Legislative Council
In compliance with the provisions of an act of the Fifteenth Legislative Assembly of the Territory of Montana, Entitled, "An act to provide for a Territorial Board of Arbitration for the settlement of differences between employers and employees," approved 28th day of February, 1887, I nominate for your advice, consent and confirmation the following persons as fit and competent to fill the office of a "Territorial Board of Arbitration and Conciliation." To wit:- Manlius V. Rittley, (a representative man of the laborers of Montana) of the County of Lewis and Clark, Richard A. Eddy, (a representative man of those who employ labor in said Territory) of the County of Missoula; and N. J. Penrose, (a representative citizen of said Territory not engaged in any avocation necessitating the employment of or being employed for labor) of the County of Silver Bow.
Respectfully,
P. H. Leslie.

The following report was received:-

Mr President,

Your Committee of the Whole, having had the same under consideration, recommend that ABills Nos 59, 67, 35 and 64, and C.B. No 44 be passed; that H.B. No 83 be amended by striking out the word "fifty" in section 1, page 2, line 2, and inserting in lieu thereof the word "twenty"; and in section 16, subdivision 6, by striking out the word "fifty" and inserting in lieu thereof the word "twenty," and that as thus amended it be passed. That H.B. No 76 be referred to a special committee, That H.B. No 42 be referred to Mr Collins as a committee. H.B. No 65 is returned for later action.
Thompson, Chairman.

(Continued)

on motion of Collins, The rules were suspended. H.B. No 88 was taken up. The amendments were adopted, considered engrossed, the bill read a third time by its title and placed on its final passage. The bill passed by the following vote:-

Ayes:- Batchelder, Cardwell, Collins, Holliday, Mundy, Kennedy, Richards, Sutherland, Thompson, Water, Mr President - 11

Noes - None,

Absent - Pardee - 1.

Bills agreed to

H. Bills Nos 59, 67, 35, 64 and C.B. No 44 were placed on calendar for third reading

H.B. No 76 was referred to a select committee appointed by the chair, and consisting of Thompson, Mundy and Holliday.

H.B. No 42 was referred to Collins as a select committee of one.

H. J. R. No 7 and substitute for H.B. No 95 were placed on general orders.

The following communication from the House was received:-

House of Representatives
Heldna, M.A., March 7, 1887

Mr President,

I am directed by the House to inform your honorable body that H. J. R. No 8 and C. B. No 10, as amended, have passed the House, and they are herewith transmitted.

David Mann,
Chief Clerk.

C. J. R. No 8 was referred to Committee on Enrollment.

On motion of Thompson, The House amendments to C.B. No 10 were concurred in, and the bill was referred to Committee on Enrollment.

On motion of Collins, The Court adjourned until tomorrow at 10 a.m.

Which is the Chief Clerk

Council Journal. Fifty-eighth Day

Council Chamber
Helena M.T. March 8, 1889

Council met at 10 a.m. pursuant to adjournment. Mr. President in the chair.

Roll called. Quorum present.

Prayer by the chaplain.

Minutes of preceding day read, corrected and approved.

The following reports were received:—

Mr President,
Your Committee on Enrollment, to whom was referred C.B. No 45, "An act relating to the formation of municipal corporations" ask to report the same correctly Enrolled

Kennedy, chairman

Mr President,
Your Committee on Enrollment, beg leave to report back as correctly Enrolled C. J. R. No 8, "To compensate D. H. Weston for recording marks and brands" and C.B. No 10, "Concerning payment of jurors and witnesses in attendance upon the district court"

Kennedy, chairman

Mr President,
Your Committee on Enrollment, to which was referred C.B. No 4, "Requiring the publication of certain matters" and C. J. R. No 13, "For the relief of Farragut Post No 7, I. O. O. F." beg leave to report them back correctly Enrolled

Kennedy, chairman

Mr President,
Your Committee on Enrollment, to whom was referred Council amendments to C.B. No 73, "An act authorizing the appointment of stenographers by the district court" ask leave to report the same correctly Enrolled

Holliday, chairman

(Continued)

Mr President,

Your special committee, to whom was referred H.B. No 76, "An act to amend sections 2 and 5 of an act entitled an act to protect game, fur-bearing animals and fish, approved March 8, 1883," have had the same under consideration, and recommend the annexed amendments be adopted, and when so amended recommend the bill do pass

Thompson, Chairman.

The amendments recommended by the special committee to H.B. No 76 were adopted, the rules suspended, the amendments considered, engrossed, and the bill placed on calendar for third reading

Thermon, by unanimous consent, introduced C.B. No 61, "A Bill for an act to amend section 192 of the fourth division of the Revised Statutes of Montana." The bill was read first and second times, the rules suspended, the bill considered, engrossed, read third time by title, and passed by the following vote—
 Ayes—Batchelder, Collins, Cardwell, Holliday,
 Hundley, Kennedy, Richards, Sutherland,
 Thompson, Wales, Mr President—11

Noes none

Absent Parden—1

No objection being made the following report was received:—

Mr President,

Your committee on Towns and Counties, to whom was referred H.B. No 91, Entitled, "an act concerning prisoners in city jails" have had the same under consideration, and beg leave to report the bill back with the recommendation that it do pass

Cardwell, Chairman

The above report was adopted, and H.B. No 91 was filed for third reading.

Kennedy, by unanimous consent, introduced C. J. R. No 15, "Instructing the Secretary of the Territory to omit the publication of a certain alleged law relating to the

(Continued)

protection of game". The resolution was read first and second times, the rules suspended, the resolution considered engrossed, and, on motion of Richards, referred to the Judiciary Committee.

The following communication from the House was received:-

House of Representatives,
Tulsa, M.T. March 7, 1887

Mr President,

I am directed by the House to inform your honorable body that the House has concurred in Council amendments to H. Bills Nos 38, 27, 83 and 44 and they were ordered Enrolled. The House refuses to concur in Council amendments to H. B. No 36 and asks the Council to recede. The bill is herewith returned.

David Marks
Chief Clerk.

On motion of Kennedy, The Council refused to recede from its amendments to H. B. No 36, and asked for a Committee of Conciliation thereto. Mr. President appointed as such committee on the part of the Council Messrs. Kennedy, Cardwell and Batchelder.

H. B. No 63 was read the third time and passed by the following vote:

Ayes - Batchelder, Collins, Cardwell, Holliday, Hurdley, Kennedy, Richards, Sutherland, Thompson, Waters, Mr President 11

Noes - none

Absent - Carden 1

Till agreed to

H. B. No 82 was read the third time and passed by the following vote:

Ayes - Batchelder, Collins, Cardwell, Holliday, Hurdley, Richards, Sutherland, Thompson, Waters, Mr President 10

Noes - none

Absent - Kennedy, Carden 2

Till agreed to

(Continued)

A.B. No 80 was read third time and passed by the following vote:-

Ayes- Batchelder, Collins, Cardwell, Stalley, Mundy,
 Richards, Sutherland, Thompson, Waters,
 Mr President - 10

Noes- none

Absent- Kennedy, Parker - 2

Title agreed to

A.B. No 35 was read the third time by title, under suspension of the rules, and passed by the following vote:-

Ayes- Batchelder, Collins, Cardwell, Stalley, Mundy,
 Kennedy, Richards, Sutherland, Thompson, Waters,
 Mr President - 11

Noes- none

Absent- Parker - 1

Title agreed to

A.B. No 67 was read third time by title, under suspension of the rules, and passed by the following vote:-

Ayes- Batchelder, Collins, Cardwell, Stalley, Mundy,
 Kennedy, Richards, Sutherland, Thompson, Waters,
 Mr President - 11

Noes- none

Absent- Parker - 1

Title agreed to

A.B. No 59 was read third time and passed by the following vote:-

Ayes- Batchelder, Collins, Cardwell, Stalley, Mundy,
 Kennedy, Richards, Sutherland, Thompson, Waters,
 Mr President - 11

Noes- none

Absent- Parker - 1

Title agreed to

A.B. No 64 was read third time and passed by the following vote:-

Ayes- Batchelder, Collins, Cardwell, Stalley, Mundy,
 Kennedy, Richards, Sutherland, Thompson, Waters,
 Mr President - 11

Noes- none

Absent- Parker - 1

Title agreed to

(Continued)

The Committee on Enrollment reported as Correctly enrolled Bills Nos 4, 10 and 45 and J. J. Rs Nos 8 and 13

Mr President announced the signing of the above bills and resolutions.

The amendments to HB No 73 having been reported Enrolled, on motion of Collins, consent being unanimously granted, the amendment was further amended by striking out the word "two" in last line of the amendment and the word "thousand" in section 4, line 4 of the original bill, and inserting in lieu thereof the words "eighteen" in amendment and "hundred" in the original bill, and as thus amended the bill was read third time and passed as amended by the following vote:-

Ayes- Batchelder, Collins, Cardwell, Holliday, Mundy, Kennedy, Richards, Sutherland, Thompson, Waters, Mr President - 11

Noes - none

Absent - Pardee - 1

Title agreed to

The amendments proposed to HB No 76 were adopted, the bill read a third time and passed as amended by the following vote

Ayes- Batchelder, Collins, Cardwell, Holliday, Mundy, Kennedy, Richards, Sutherland, Thompson, Waters, Mr President - 11

Noes - none

Absent - Pardee - 1

Title agreed to

HB No 91 was read third time and passed by the following vote:-

Ayes- Batchelder, Collins, Cardwell, Holliday, Mundy, Kennedy, Richards, Sutherland, Thompson, Waters, Mr President - 11

Noes - None

Absent - Pardee - 1

Title agreed to

(Continued)

on motion of Hundley, the vote by which H.B. No 63 was passed was reconsidered;

Natus, by unanimous consent, introduced C.B. No 62, "An act to prevent persons from unlawfully using or wearing the badges of the G. A. R., M. F. L. or any other society in this Territory". The bill was read first and second times, the rules suspended, the bill considered engrossed, read third time and passed by the following vote:

Ayes: Batchelder, Collins, Cardwell, Holladay, Hundley, Kennedy, Richards, Sutherland, Thompson, Natus
 M. President - 11

Noes - none

Absent - Pardee - 1

Title agreed to

C.B. No 44 was read third time and passed by the following vote:

Ayes - Batchelder, Collins, Cardwell, Holladay, Hundley, Sutherland, Thompson, Natus, M. President - 9

Noes - Kennedy, Richards - 2

Absent - Pardee - 1

Title agreed to

On motion of Hundley, H.B. No 63 was referred to the Committee on Towns and Counties.

The following communication from the ~~House~~ Governor was received:

Territory of Montana
 Governor's Office
 Helena, March 8, 1887

Gentlemen of the Council,

I have the honor to inform you that on the 7th March, 1887, I approved and signed bills which originated in your body, numbered and titled as follows: Bill No 74, Entitled, "An act relative to the protection, employment and adoption of children"; Bill No 6, Entitled, "An act to amend article 1, of Chapter 15, the fifth division of the Revised Statutes of Montana relating to corporations for industrial or productive purposes"; Bill No 57, Entitled, "An act authorizing the Governor to restore the rights of citizenship to discharge

(Continued)

convicts"; Bill No 27, entitled, "An act to punish persons for making fraudulent pedigrees of live stock"; and Council Joint Resolution No 10, entitled, "Council Joint Resolution No 10, to defray the expenses of the Executive Department."

Respectfully
P. H. Leslie.

on motion of Kennedy, The Council took a recess until 2 p.m. this day

2 p.m.

Council resumed, Mr President in the chair.

Roll called, Quorum present.

The following communication from the House was received:-

House of Representatives,
Helena, M.T., March 8, 1887

Mr President,

I am directed by the House to inform your honorable body that ^{House Nos 54, 55 and H.B. 193} C. Bills Nos 57 and 59 have been lost, and they are herewith transmitted.

H. Bills Nos 66 and 75 have been lost
C. Bills Nos 26, 38 and House substitute for C. J. R. No 14 and C. B. No 37, as amended, have passed the House, and they are herewith transmitted.

H. J. R. No 8, under a suspension of the rules H. Bills Nos 50, 68 and 94 have passed the House, and they are herewith transmitted.

Blair introduced H. J. R. No 9, "making appropriation for the Historical Society of Montana."

Mr. Speaker has signed C. Bills Nos 45, 10, 8, 11 and C. J. R. No 13

Mr Speaker has appointed as conference committee on the part of the House on H. Bill No 36 Messrs Manth, Marshall and Paul

David Marks
Chief Clerk.

(Continued)

C.B. Nos 26 and 38, having passed the House, were referred to the Committee on Enrollment.

House substitute for C. J. R. No 14 was read first and second times, and on motion of Cardwell, referred to a special committee, Mr. President appointed as such committee, Cardwell, Collins and Richards.

C. J. R. No 8 was read first and second times, the rules suspended, read third time, and passed by the following vote:—

Ayes:—Batchelder, Collins, Cardwell, Holliday, Stanley, Kennedy, Richards, Thompson, Watus, Mr. President—10

Noes—None

Absent—Pardee, Sutherland—2

Title agreed to

The proposed amendments to substitute for C.B. No 37 having been concurred in, the bill was referred to the Committee on Enrollment.

The following report was received:—

Mr President,

Your Committee on Enrollment beg leave to report that C.B. No 4, "Concerning the publication of certain matters", C.B. No 10, "Concerning payment of jurors and witnesses in criminal cases", an amendment upon the district court, C.B. No 16, "Concerning banks and banking", C.B. No 45, "Providing for municipal corporations", C. J. R. No 8, "Providing compensation for A. H. Weston" and C. J. R. No 13, "For the relief of Farragut Post No 7, G. A. S.", were presented to the Governor for his consideration at 11:50 am, Kennedy, chairman

C.B. No 50 was read first and second times and referred to Committee on Judiciary.

The following report was received:—

Mr President,

Your select committee recommend that the annexed amendments be added to substitute for C. J. R. No 14, and that as so amended the substitute

(continued)

do pass

Cardwell, Chairman

The amendment proposed by the select committee to C. J. R. No 14 was adopted, and the resolution referred to the Committee on Engrossment,

The following report was received:--

Mr. President, Your select committee has considered H. B. No 47, "Relating to Elections", and recommends that sections 3, 4 and 5 be added as annexed, and that as so amended it do pass

J. E. Collins

Select Committee,

The motion of Handy to strike out the word "fifty" when the same occurs in section 5 of the amendment, and substitute in lieu thereof the words "twenty-five" was lost. The amendments proposed by the select committee to the Bill on call of ayes and noes, was adopted by the following vote:--

Ayes -- Collins, Cardwell, Halliday, Handy, Kennedy, Sutherland, Thompson, Waters, Mr President -- 9
 Noes -- Batchelder, Richards -- 2
 Absent -- Pardee -- 1

Waters having moved to strike out section 4 of the bill with the amendment thereto, Collins called for the ayes and noes, and the motion was adopted by the following vote:--

Ayes -- Batchelder, Halliday, Kennedy, Richards, Waters, Mr President -- 6
 Noes -- Collins, Cardwell, Handy, Sutherland, Thompson -- 5
 Absent -- Pardee -- 1

The motion of Collins to strike out section 4 of the bill on call of the ayes and noes, was adopted by the following vote:--

(Continued)

Ayes: Batchelder, Collins, Cardwell, Halliday,
 Standley, Kennedy, Sutherland, Thompson, Waters - 9
 Noes - Richards, Mr President - 2
 Absent - Pardee - 1

On motion of Richards, to strike out the Enacting Clause was adopted.

The motion of Batchelder to indefinitely postpone the bill, on call of the ayes and noes, was adopted by the following vote:-

Ayes - Batchelder, Halliday, Kennedy, Richards, Waters
 Mr President - 6
 Noes - Collins, Cardwell, Standley, Sutherland, Thompson - 5
 Absent - Pardee - 1

Under suspension of the rules, H.B. No 68 was read first and second times by title, and referred to the Committee on Corporations.

On consideration of H.B. No 68 the rules were suspended, the bill read first and second times by title, and placed on general orders.

The following report was received:-

Mr. President,
 Your Committee on Education and Labor, to who was referred the nomination by the Governor of M. V. Kirby, R. A. Eddy and W. J. Benson to constitute the "Territorial Board of Arbitration and Conciliation" respectfully report the same back with the recommendation that they be confirmed.
 J. E. Richards
 Chairman

On motion of Kennedy, the above report was adopted.

The nomination of M. V. Kirby was thereupon confirmed by the following vote:-

Ayes - Batchelder, Cardwell, Halliday, Standley, Kennedy,
 Richards, Sutherland, Thompson, Mr President - 9
 Noes - Collins, Waters - 2
 Absent - Pardee - 1

(Continued.)

The nomination of Richard A Eddy was confirmed by the following vote:—

Ayes—Batchelder, Cardwell, Collins, Halliday,
Sturdy, Kennedy, Richards, Sutherland,
Thompson, Waters, Mr President 11

Noes—None

Absent—Pardee—1

The nomination of M. J. Penrose was confirmed by the following vote:—

Ayes—Cardwell, Sturdy, Kennedy, Richards,
Sutherland, Thompson, Waters—7

Noes—Batchelder, Collins, Halliday, Mr. President—4

Absent—Pardee—1

Mr. President announced the signing of H Bills Nos 27, 81, 44, 85, 72 and 38

The following reports were received:—

Mr President, Your Committee on Enrollment, to whom was referred, C.B. No 26, "to provide compensation for Samuel Snyder for certain services" to respect fully report the same be so correctly enrolled
Kennedy, Chairman.

Mr. President, Your Judiciary Committee has considered C. J. R. No 15, "Instructing the Secretary to omit the publication of a certain alleged law relating to the protection of game," and recommend that it do pass
Collins, Chairman

On motion of Kennedy, the rules were suspended, the resolution read third time by title, considered Engrossed, and passed by the following vote:—

Ayes—Batchelder, Collins, Cardwell, Halliday,
Sturdy, Kennedy, Richards, Sutherland,
Thompson, Waters, Mr President—11

Noes—None

Absent—Pardee—1

Title agreed to

(Continued)

The following report was received:

Mr President,

Your committee has considered
C.B. No 60 - "To amend an act concerning the inmates
of public institutions", and recommend that it
do pass

Collins

Kennedy

On motion of Hundry the rules were suspended,
the bill read third time by title, and passed by the
following vote: -

Ayes - Batchelder, Collins, Cardwell, Holliday,
Hundry, Kennedy, Richards, Sutherland,
Thompson, Waters, Mr President - 11

Noes - None

Absent - Parker - 1

Title agreed to

The following communication from the Governor was
received: -

Territory of Montana
Governor's Office,
Helena, March 6, 1887,

Gentlemen of the Council,

I have the honor to inform
you that I have on this day approved and signed
the Bill No 10, which originated in your body, and is
entitled, "A Bill for an act concerning payment of
jurors and witnesses in criminal cases in at-
tendance upon the district court"; also Bill No 6,
entitled, "An act concerning banks and banking"; and
also Council Joint Resolution No 8, entitled, "To
compensate ~~Dr. A. Weston~~ for services rendered the terri-
tory"; and also No 13, entitled, "C. J. R. for the relief
of Farragut Post No 7, G. A. R."

Respectfully

P. M. Davis,

The Council resolved itself into committee of the
whole, Collins in the chair.

(Continued)

Council resumed, Mr President in the chair.

The following reported as received:-

Mr President,

Your Committee of the whole, to which was referred A.B. No 65, "Local option", A.B. No 95, to amend section 355 of first division of Revised Statutes; St. J. R. No 7, to compensate Chas St. Snell, and A.B. No 94, to amend veterinary surgeon and stock laws, and recommend that all the bills do pass without amendment.

J. E. Collins
Chairman

A.B. No 65 was referred to general orders.

On motion of Kennedy, The rules were suspended, A.B. No 94 read third time by title, and passed by the following vote:-

Ayes - Batchelder, Collins, Cordwell, Holliday, Hurdly, Kennedy, Pickard, Sutherland, Thompson, Waters, Mr. President - 11

Noes - None

Absent - Pardee - 1

Title agreed to

Mr President announced the signing of A.B. No 16.

Waters gave notice that he should move the reconsideration of the vote by which the nomination of H. J. Penrose had been confirmed.

On motion of Kennedy, The Council adjourned until 10 am, tomorrow.

Ruben L. Davis
Chief Clerk

Fifty ninth Day
Council Chamber)

Helena Montana, March 9th 1887,
Council met at 10 o'clock A.M. pursuant to adjournment.

Mr. President in the Chair
Roll called - Quorum present.
Prayer by the Chaplain

Journal of fifty eighth day read
and approved,
The following reports were received

Mr. President

Your Committee on enrollment begs leave to report that C.B. No. 26, to compensate Samuel Snyder for certain services, was handed to the Governor for his consideration at 4:45 p.m.

March 8, 1887

Kennedy, chairman.

Mr. President,

Your Committee on Enrollment, to which was referred C.B. No. 33, relating to the assessment and levy of taxes; C.B. No. 37, Prohibiting the sale of liquor within two miles of any railroad in course of construction; and C.B. No. 38, Concerning marriage, begs leave to report them as correctly enrolled.

Kennedy, chairman

Mr. President,

Your Committee on Engraving, to whom was referred Council amendments to House substitute for C.J.R. No. 14, ask to report the same correctly engraved.

Holliday, Chairman

Mr. President,

Your Committee on Incorporations, to whom was referred C.B. No. 68, relating to the organization of Railroad Corporations, and to regulate the operation thereof, now with return the same with the recommendation that it be laid on the table.

J.E. Richards, Chairman

Mr. President announced the signing of C.B. Bills Nos. 33, 37 and 38; also, S.B. Bills Nos. 83, 64, 67, 59, 91, 80, 87 and 76.

(Continued)

C. J. R. No 14 was placed on calendar for third reading
on motion of Kennedy, H. B. No 68 was laid on the table

The following communication from the House was
received;

House of Representatives.
Helena M.T., March 8, 1887

Mr President,

I am directed by the House to inform
your honorable body that

Blake, by unanimous consent, recalled H. B. No 20, and
an error in Section 37 was corrected; The amendment is
attached to the bill, and the same is herewith trans-
mitted.

The House refuses to concur in Council amendments
to H. B. No 73, and respectfully asks the Council to recede;

The House concurred in Council amendments to H. B. No 76
H. Bills Nos 27, 71, 85, 44, 81 and 38 and C. B. No 26 now
signed by Mr Speaker

Substitute for H. B. No 39 has passed the House, and
is herewith transmitted.

H. B. No 107 has been laid on the table

David Marks

Chief Clerk

On motion of Callis, The Council refused to recede from
its amendment to H. B. No 73, and requested a committee
of conference thereon, The Chair appointed Richards and
Callis, such committee to act on the part of the
Council.

On motion of Callis, The House amendment to H. B.
No 20 was concurred in, and a further amendment
to the bill was adopted.

H. B. No 39 was read first and second times,
Richards moved that the rules be suspended, the bill
read the third time and placed on its final passage.

Cardwell moved as an amendment that the bill be
laid on the table, which was carried, and the bill
ordered laid on the table by the following vote:—

(Continued)

Aps - Batchelder, Cardwell, Stalley, Stanley,
 Kenney, Thompson, Waters.
 Abs - Collins, Richards, Sutherland, Mr President -
 Absent - Cardwell.

The following report was received:-

Mr President,
 Your Committee on Education and
 Labor, to whom was referred St. B. No 57, "an act
 reorganizing and consolidating the Montana
 Library" report the same back with annexed amend-
 ment, and recommend that as amended it do pass
 J. E. Richards
 Chairman

on motion of Kennedy, The amendment was adopted,
 considered engrossed, and St. B. No 57 was placed on
 general orders.

The following message from the Governor was received
 and read together with the reports of the President of
 the Historical Society, therein mentioned:

Territory of Montana,
 Governor's Office,
 Helena, M. T. March 9, 1887.

Gentlemen of the Council,
 In pursuance to the provisions of
 section 26, of fifth division of the Revised Statutes of
 Montana, I herewith transmit to you and through you to
 the House of Representatives, two reports from
 H. F. Sanders, President of the Historical Society of
 Montana. They were delivered to me in my office two
 days ago.

Respectfully
 J. H. Smith.

on motion of Kennedy, the chief clerk was
 directed to transmit to the House the reports and
 a copy of the Governor's communication.

(Continued)

on motion of Kennedy, Parden was granted leave of absence from date of commencement of his present illness until he shall be able to resume his place in the Council.

St. B. No 65 was read the third time, and on motion of Sutherland, amended by striking out the words, "one tenth" in section 1 and inserting "one-third," and passed by the following vote:—

Ayes—Batchelder, Cardwell, Collins, Holliday,
Richards, Sutherland, Thompson, Traters,

Mr President—9

Noes—Stunshy, Kennedy—2

Absent—Parden—1

Title agreed to

St. substitute for St. B. No 65 was read the third time and passed by the following vote:—

Ayes—Batchelder, Cardwell, Collins, Holliday, Stunshy,
Kennedy, Richards, Sutherland, Thompson

Mr President—10

Noes—None

Absent—Parden, Traters—2

Title agreed to

The following report was received:—

Mr President,

Your Committee on Enrollment begs leave to report that C.B. 33, "Concerning assessment and levy of taxes," C.B. No 37, "Prohibiting sale of liquor within two miles of any railroad in course of construction," and C.B. No 28, "Concerning marriages" was handed to the Governor for his consideration at 11 am. March 9

Kennedy, Chairman

H. J. Q. No 7 was read the third time and passed by the following vote:—

Ayes—Batchelder, Cardwell, Collins, Holliday, Kennedy,
Richards, Sutherland, Thompson, Mr President—9

Noes—None

Absent—Stunshy, Parden, Traters—3

Title agreed to

(Continued)

On motion of Cardwell, The rules were suspended, H. substitute for C. J. R. No 14 was read the third time by its title, and passed by the following vote:-
Ayes- Batchelder, Cardwell, Collins, Holliday, Skunkby, Kennedy, Richards, Sutherland, Thompson, Waters, Mr President - 11.

Noes- None
Absent- Pardee - 1
Title agreed to

On motion of Kennedy, The Council took a recess until 2 p.m.

2 p.m.

Council resumed, Mr President in the chair.

Holliday, by an unanimous consent, introduced C.B. No 63, a Bill for an act defining the apportionment of members of the House of Representatives in the Counties of Meagher and Gallatin. Read first and second times.

ON motion of Holliday, The rules were suspended, the bill was considered Engrossed, read the third time by its title and passed by the following vote:-
* Ayes- Batchelder, Cardwell, Collins, Holliday, Skunkby, Kennedy, Richards, Sutherland, Thompson, Waters, Mr President - 11.

Noes- None
Absent- Pardee - 1
Title agreed to

The following reports were received:-

Mr President

Your Judiciary Committee has considered H.B. No 50 "The fee bill" and return the same without recommendation except that it be placed on general orders

Collins, Chairman

H.B. No 50 was placed on general orders

(Continued)

The following communication was received from the House:

House of Representatives.
Wash. D. C. March 9, 1889

Mr President,

I am directed by the House to inform your honorable body that Mr. Speaker has signed H. Bills Nos 83, 64, 67, 59, 91, 80, 82 and 76, and C. Bills 33 and 38

C. B. No 15 has been laid on the table,

The House has concurred in certain amendments to H. B. No 20

The majority report of the conference committee on H. B. No 36

H. B. No 102 has been taken from the table

H. J. R. No 9 and H. Bills Nos 48, 74, 84, 89 and 78 have passed the House, and they are herewith transmitted.

David Marks

Chief Clerk

H. B. No 48 was read first and second times, and, on motion of Kennedy, placed on general orders

H. J. R. No 9 was read first and second times, and on motion of Kennedy placed on general orders.

H. B. No 74 was read first and second times, and on motion of Dutton placed on general orders.

H. B. No 78 was read first and second times and placed on general orders

H. B. No 84 was read first and second times and placed on general orders.

H. B. No 89 was read first and second times, and, on motion of Huntley, referred to Committee on Judiciary.

Mr. President announced the signing of H. Bills Nos 70, 35, 94 and H. J. R. No 8

(Continued)

The following communication from the Governor
was received, and, on motion of Kennedy, referred to
Committee on Grazing and Stock Growing

Territory of Montana
Governor's office,
Helena, March 9, 1887

Gentlemen of the Legislative Council,

In pursuance to the requirements of the act
passed by the present Legislative Assembly, which has
been approved on this day, and is entitled "An act to
amend sections, one, five, six, seven, eight and twelve of an
act for the better protection of the live stock interests
of the Territory" approved March 17, 1885, I nominate
for your advice, consent and confirmation to be "The Board
of Stock Commissioners" for Montana the following named
gentlemen, to wit: - B. F. Potts, for the County of Lewis
and Clark; C. H. Allen Taylor, for the County of Choteau;
David Pratt, for the County of Glacier; Francis Stuart, for
the County of Fergus; Alfred Myers, for the County of Yellow-
stone; E. H. Johnston, for the County of Custer; and
O. R. A. Scobey, for the County of Dawson

Respectfully,
J. H. Leslie

The Council resolved into Committee of the Whole
for consideration of general orders, Kennedy
in the chair.

Council resumed, Mr President in the chair,

A communication from the House was received,

The Council resolved into Committee of the Whole,
Kennedy in the chair.

Council resumed, Mr President in the chair.

The following communication from the House was read:-

House of Representatives
Helena, M.T., March 9, 1887

(continued)

Mr President,

I am directed by the House to inform your honorable body that

The House has concurred in Council amendments to C. J. R. No 14 and H. B. No 65

H. Bills 86 and 97 have passed the House and are herewith transmitted

The Chair has appointed as conference committee on H. B. No 73 Messrs. Scobey, Clark and Kanouse
David Marks
Chief Clerk,

H. substitute for C. J. R. No 14 and C. Bills Nos 61 and 67 were referred to Committee on Enrollment

The following communication from the House was read

House of Representatives

Helena Montana Mar. 9, 1887,

Mr. President,

I am directed by the House to inform your honorable body, that:

The Governor has approved the following bills, H. B's Nos 72, 85, 27, 44, 81, 38

The conference Committee on H. B. No 36 have withdrawn their report

C. B. # 36 was lost and the same is herewith transmitted,

H. B. No 93 a, amended; C. B's 61, 62, 57, 43 have passed the House and are herewith transmitted.

David Marks
Chief Clerk

H. B. No 93 was read first and second times and placed on general order.

Kennedy moved that the Council refuse to concur in House amendments to C. B. No 43

Fiftyminth Day (Continued)

16 Rickards moved as an amendment that the Council do concur in said amendments which was lost.

The motion of Kennedy was then carried by the following vote.

Ayes: Batehead, Caidwell, Halliday,	
Stumley, Kennedy, Thompson,	
Waters	7.
Noes: Collins, Rickards, Suthlin	7.
Mr. President	4.
Absent: Randee	1.

On motion of Suthlin another Committee of conference on the bill was requested, and the Chair appointed Rickards, Waters and Suthlin such committee on the part of the Council.

The following Report was received,

Mr President

Your Committee of the whole has had under consideration H. B. No 48, to provide for the payment of stock killed by rail roads. H. J. R. No 9 making appropriation for the Historical Society, H. B. No 84 increasing the fees of Sheriffs for board of prisoners, and recommend that they do pass; Also H. B. No 74 to encourage the construction of canals in the Territory of Montana, and recommend that it do not pass. Also H. B. No 78, to amend the act creating the office of County Attorney, with amendments and recommend that the bill do pass as amended.

Kennedy, Chairman,

18 H. J. R. No 9, H. B. No 82 and 88. were placed on Calendar for third reading.

On motion of Kennedy, the consideration of H. B. No 74 was indefinitely postponed.

(Continued)

On motion of Kennedy;

The amendments to H. B. No. 8, were adopted, the rules were suspended, the bill was considered engrossed, read the third time by its title and passed by the following vote,

Ayes: Batchelder, Cardwell, Collins,	
Halliday, Humbley, Rickard,	
Sutherland, Thompson, Watkins	3,

Noes: Kennedy, Mr President	2,
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Absent: Pardee	1
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Title agreed to

On motion of Kennedy

The rules were suspended,

H. B. No. 48 was read the third time by its title and placed on its final passage,

The bill passed by the following vote

Ayes: Batchelder, Cardwell, Collins, Halliday,	
Humbley, Kennedy, Rickard, Sutherland	

Thompson, Mr President	10,
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Noes: Watkins	1,
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Absent: Pardee	1,
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Title agreed to

On motion of Kennedy,

The rules were suspended. H. B. No. 78 was read the third time by its title and placed on its final passage

The bill passed by the following vote:

Ayes: Batchelder, Cardwell, Collins,	
--------------------------------------	--

Halliday, Humbley, Rickard,	
-----------------------------	--

Sutherland, Thompson, Watkins	9,
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Noes: Kennedy, Mr President	2,
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Absent: Pardee	1,
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Title agreed to

The following Report was received.

Mr. President,

Your Committee of the whole has had under consideration H. B. No. 57, An Act reorganizing and consolidating the Montana Library, and begs leave to report it back with the annexed amendments, recom-

mending to pass as amended.
Kennedy, Chairman.

On motion of Kennedy,

The amendments to H.R. No. 57, were adopted.
The rules were suspended, the amendments considered en masse, the bill was read the third time by its title and placed on its final passage.

The bill passed by the following vote:
Ayes: Cardwell, Collins, Holliday, Hurd, Kennedy, Rickard, Sutherland, Thompson, Waters, Mr. President 10,

Noes: Datchelder 1,

Absent: Rader 1,

Title agreed to

The following Reports were received,

Mr. President,

The majority of your Council Committee to confer with a like Committee from the House to consider H.R. No. 36, An act concerning licenses, have met in Committee and considered the same and they leave to report that we refuse to recede from the Council amendments,

(Cardwell)

Datchelder

Mr. President

The majority of the Conference Committee on H.R. No. 36 relating to license, would report that we recommend that the House concur in all the Council amendments except that to the last paragraph of Sec. 7, and in that case the license fee shall be one hundred and twenty dollars, per annum. Also excepting Council amendments to Sec. 22, which amendments shall be made to read "That no license provided for in Section 7 of this act shall be granted for a less time than six months,

Leitchman
 Thos Marshall
 J R Toole
 Will Kennedy

Cardwell moved that the majority report be adopted.

Rickards moved to amend by striking out the word "Minority" and inserting "Majority" which was lost.

The recommendation of the minority Report was then adopted by the following vote;

Ayes: Batchelder, Cardwell, Halladay,	6.
Kimbley, Sutcliffe, Mathis	
Noes: Collins, Kennedy, Rickards,	5.
Thompson, Mr President	
Absent: Pardee	1.

Cardwell moved that the Council request the appointment of another Committee of conference on the bill which was carried; and the Chair appointed Collins, Sutcliffe and Rickards to act as such Committee on the part of the Council.

The following Communication from the House was received.

House of Representatives,
 Helena, M.T., Mar 9, 1887

Mr. President,

I am directed by the House to inform your Honorable body,

That H.R. 1207 98 and 102 as amended have passed the House and they are herewith transmitted.

David M. Clark
 Chief Clerk

H.R. 1086 was read first and second times and referred to Committee on Judiciary.

X On motion of Collins,
 The rules were suspended, and H.B. No 98
 was read first and second times by its title and
 referred to Committee on Judiciary.
 On motion of Collins,
 The rules were suspended, H.B. No 99 was read
 first and second times by its title and placed
 on general orders.

On motion of Collins,
 The rules were suspended, H.B. No 102
 was read first and second times by its
 title and referred to the Committee on
 Ways and Means.

On motion of Rickard,
 Council took a recess until 7:30 P.M.,
 7:30 P.M.

Council resumed.
 Mr. President in the Chair.
 Roll called. Quorum present.

The following Report was received,
 Mr. President,

Your Committee on Enrollment to whom
 the following bills were referred
 would report the same correctly
 enrolled, to wit:

C.J. R. No 14: To defray the expenses
 of the joint Committee visiting the Peni-
 tentiary and Territorial Insane asylum
 and the Committee to confer with a joint
 Committee appointed by the Legislative
 Assembly of Dakota. Also.

C.B. No 57 "A bill for an act to regulate
 the owners of barbed wire fences ~~that~~
 the same in repair" Also

C.B. No 61, "An act to amend Section 192
 of the Fourth Division of the Revised Statutes
 of Montana" Also C.B. No 62, "An act
 to prevent persons from unlawfully
 using or wearing the badge of the
 Grand Army of the Republic, Knights
 of Labor, or any other society in
 this Territory" Kennedy, Chairman

The following communication was received,

House of Representatives
Helena, Ind., March 9th, 1887.

Mr. President,

I am directed by the House to inform
your honorable body,
That,

The chair has appointed as
another Conference Committee, on H. B. No. 36,
Messrs. Kanouse, Harwood, and Brown,

The House respectfully requests that the
Council return H. B. No. 102, as a motion
for its reconsideration is pending.

~~The House respectfully requests that the~~
~~Council return H. B. No. 102,~~

David Marks,
Chief Clerk.

H. B. No. 102, was withdrawn from
Committee on Ways and Means, and ordered
returned to the House.

The following report was received:

Mr. President,

Your Committee of the whole
have had under consideration H. B. No. 50, con-
cerning fees and salaries, and beg to leave
to report it back with amendments as
amended, and would recommend its
passage as amended.

Kennedy, Chairman.

By unanimous consent, H. B. No. 50,
was amended by striking out the words
"of less than five millions," and on motion
of Kennedy, the rules were suspended,
the amendments considered and passed;
the bill was read the third time by its title,
and passed by the following vote:

Ayes: Balefiden, Leonardell, Collins,
Holliday, Hundley, Kennedy, Rickard,
Sutherland, Thompson, Waters, Mr. President - 11
Nays: None
Absent: Parker

Little agreed to.

Collins, by consent, presented protest of residents of against division of Lehotan County.

The following reports were received:

Mr. President,

The Conference Committee on H. B. No. 36, relating to License, would report that we recommend that the House concur in all the Council amendments, except that to the last paragraph of Sec. 7, and in that case, the license fee shall be one hundred and twenty dollars per annum.

Also, excepting Council amendments to Sec. 22, which amendment shall be made to read: "that no license provided for in Section 7 of this act shall be granted, for a less time than six months."

Collins
Sutherland
Rickards,
Brown,
Kamrose,
Harwood

On motion of Rickards,

The recommendations of the Report in regard to H. B. No. 36, were adopted.

The following report was received:

Mr. President:

Your Committee on Judiciary has considered H. B. No. 89, to amend Section 319 of the Fifth division of the Revised Statutes of Montana, and reports the same back with the recommendation that it do pass.

Collins.

Lehman

H. B. No. 89, was placed on general orders.

The Council resolved itself into Committee of the whole for the consideration of general orders.

Council resumed.
Our President in the chair.

Our President announced the signing of H. B. 65 and 95, and H. J. R. No. 7.

The following communication from the House was received:

32

House of Representatives
Wash. March 9, 1887.

Mr President,

I am directed by the House to inform your Honorable Body that,

H. B. No 107 has passed the House, under suspension of the rules, and the same is herewith transmitted.

Read. Marks
Chief Clerk.

H. B. No. 107, was read first and second times and placed on general orders.

The following report was received:

Mr. President:

Your report on Judiciary, to whom was referred H. B. No. 86, an Act to amend Section 292 of the Fifth Division of the Revised Statutes, and report the same back with the recommendation that it pass.

Collins
Chairman

H. B. No. 86, was placed on general orders.

The Council resolved itself into Committee of the whole, for the consideration of general orders.

Collins in the chair.

Council resumed.

Mr President in the Chair,

A Communication from the House was received,

Council resolved itself into Committee of the whole, for the consideration of general orders,

Council resumed.

Mr President in the Chair,

A Communication was received from the Governor, announcing his approval of L. Bills Nos. 38, 37, and 26.

The following Communication from the House was read.

House of Representatives
Kelewa N. Y. March 9th, 1887.

Mr. President,

I am directed by the House, to inform your honorable body

That the Committee on Military affairs has been appointed as a Conference Committee on the part of the House, on L. B. No. 43,

The consideration of the amendments of the Council to H. B. No. 78, was indefinitely postponed.

The House concurs as to first Council amendment to H. B. No. 57 and refuses to concur as to the second, and respectfully asks the Council to recede. The bill is herewith transmitted,

H. B. No. 44, as amended, has passed the House, and is herewith transmitted.

The House has adopted the report of the conference committee on H. B. No. 36.

David M. ...

(Continued)

on motion of Cardinal, The Council refused to recede from its amendments to H.B. 71057 and requested the appointment of a committee of conference thereon, the Chair appointed Kennedy, Thompson, and Sutherland to act as such committee on the part of the Council.

On motion of Sutherland, The House amendments to C.B. No 47 were concurred in by the following vote:
 Ayes: Cardinal, Collins, Richards, Sutherland, Thompson,
 Mr. President — 7
 Nays — Batchelder, Holliday, Hendley, Kennedy — 4
 absent — Pardee — 1

The following report was received:—

Mr President,

Your Committee of the whole, has considered H.B. No 93, the school law, and recommends its passage; also H.B. No 86, to amend section 292, of fifth division Revised Statutes, and recommend it do pass; also H.B. No 89, section 319, first division of the Revised Statutes, and recommend, it do pass; also; H.B. No 97 To Establish libraries, and recommend it lay on the table; also, H.B. No 107 to amend the insane asylum law, and recommend that it be referred to a special Committee of three, and that the House be requested to appoint a like Committee to act jointly.

Collins, Chairman

H Bills Nos 86, 89 and 93 were placed on calendar for third reading

35 On motion of Richards, The recommendations of the report in regard to H.B. No 97 were adopted, and the bill was laid on the table.

H.B. No 107 was referred to Committee on Judiciary, to act on the part of the Council, and the House was requested to appoint a like Committee to confer thereon.

The following report was received:—

(Continued)

Mr. President

The Committee of Conference of the two Houses on C.B. No 43, having considered the same, beg leave to report the bill back, and recommend that the House recede from its amendments striking out section 1, and that the Council concur in the House amendment to section 3

Blair

Chairman Committee on part of House

J. E. Richards

Chairman of Committee on part of Council

On motion of Richards, The recommendations of the report were adopted.

The following report was received:-

Mr. President,

Your Committee on judiciary, to whom was referred H.B. No 98, "an act to amend sections 587, 589, 590 and 596 of the code of civil procedure concerning Eminent domain, have examined the same, and report it back with the recommendation that it do pass

J. E. Collins, chairman

H.B. No 98 was placed on general orders

On motion of Kennedy, The Council took up the bill for third reading

H. J. R. No 9 was read the third time and lost by the following vote:-

Ayes - Batchelder, Cardwell, Holliday, Mundy,
Mr. President - 5

Noes - Collins, Kennedy, Richards, Sutherland, Thompson

Watus - 6

Absent - Pardu - 1

H.B. No 84 was read the third time and passed by the following vote:-

Ayes - Batchelder, Cardwell, Collins, Holliday, Mundy,
Kennedy, Richards, Sutherland, Watus, Mr. President - 10

Noes - Thompson - 1

Absent - Pardu - 1

Watus - 6

(Continued)

On motion of Collins, the rules were suspended. StB. No 83 was read the third time by its title, and passed by the following vote:—

Ayes—Batchelder, Cardwell, Collins, Holliday, Hurdley, Kennedy, Richards, Sutherland, Thompson, Waters, Mr. President—11

Noes—None

Absent—Pardee—1

Title agreed to as amended

StB. No 86 was read the third time and passed by the following vote:—

Ayes—Batchelder, Cardwell, Collins, Holliday, Hurdley, Kennedy, Richards, Sutherland, Thompson, Waters, Mr. President—11

Noes—None

Absent—Pardee—1

Title agreed to.

StB. No 89 was read the third time and passed by the following vote:—

Ayes—Batchelder, Cardwell, Collins, Holliday, Hurdley, Kennedy, Richards, Sutherland, Thompson, Waters, Mr. President—11

Noes—None

Absent—Pardee—1

Title agreed to

Holliday, by unanimous consent, introduced StB. No 64, "An Act to reimburse the sheriffs of the different counties of the Territory of Montana for the board of County prisoners." Read first and second times. On motion of Waters, the rules were suspended, the bill was considered

Engrossed, read the third time by title, and placed on its final passage. The bill passed by the following vote:—

Ayes—Batchelder, Cardwell, Collins, Holliday, Hurdley, Kennedy, Waters—7

Noes—Richards, Sutherland, Thompson, Mr. President—4

Absent—Pardee—1

Title agreed to

Collins gave notice of motion to reconsider the vote by which StB. No 84 passed the Council.

(Continued)

267 ~~Matus moved that the vote by which H.B. No 84~~

Matus moved that the vote by which H.B. No 84, passed the Council be reconsidered.

Collins rose to a point of order, that he had already given notice of motion to reconsider the vote and the same could not now be reconsidered except upon his motion.

The Chair decided the point of order well taken

Mr President announced the signing of H. Bills, Nos 65 and 48

The following communication from the House was received.

House of Representatives
Helenach, N. Mar 9, 1887

Mr. President

I am directed by the House to inform your Honorable body that:

H.B. No 106, under a suspension of the rules has passed the House and is herewith transmitted.

David Marks, Chief Clerk

H.B. No 106 was read first and second times.

On motion of Rickards

The rules were suspended.

The bill was read the third time by its title and placed on its final passage, and passed by the following vote:

Clyde, Ballebeder, Candwell, Collins, Halliday, Hambley, Kennedy, Rickards, Sutherland, Thompson, Walter, Mr. President 11,

Yours, None 0,

Absent & Pardee 1,

Title agreed to

On motion of Collins

The Council adjourned until tomorrow at
ten o'clock A.M.

Reuben L. Davis
Chief Clerk

Fiftieth Day
 Council Chamber
 Helena, Montana
 March 10th 1887,

Council met at 10 o'clock A.M. pursuant
 to adjournment.
 Mr. President in the Chair.
 Roll called. Quorum present.
 Prayer by the Chaplain.
 Journal of fifty ninth day, read and
 approved.

Mr. President announced the signing
 of C.B. Nos 57, 61 and 62 and C.J.R.
 No 14.

The following Reports were received;

Mr. President,

Your enrolling Committee to whom
 was referred C.B. No. 47, "An act to
 prevent dissemination of seat and
 infectious diseases among sheep," ask
 leave to report the same correctly enrolled.
 Kennedy, Chairman

The following communications from the
 House were received,

House of Representatives
 Helena, M.T., March 9th 1887

Mr. President,

I am directed by the House to
 inform your Honorable body,

that
 H.B. No. 102, has been laid on the table
 H.B. No. 100, has been lost.
 The House refuses to concur in Council
 amendments to H.B. No. 50 and asks
 the Council to recede; The bill is
 herewith returned.

The House has adopted the report of
 the Conference Committee on C.B. No.
 13.

Mr. Speaker has signed H.B. No. 118
 H.B. No. 101, as amended, has passed

the House and is herewith transmitted,
The Governor has approved H. Bills Nos. 83,
80, 82, 35, 76, 67, 64, 59, 91, 94 and H. J. R. No.
8.

David Marks, Chief Clerk

H. B. 710101 was ordered returned to the
House for connection of its history.

The following communication from the
House was received,

House of Representatives
Helena, Montana

Mar. 9, 1887,

Mr President

I am directed by the House to inform
your Honorable body,
That;

H. B. No. 9, "has passed the House and
is herewith transmitted,

David Marks

Chief Clerk

On motion of Collins, the Council refused to receive from the Governor the
H. B. No. 50, and Holliday, Collins and Waters were appointed a Committee of Conference thereon.

H. B. No. 9 was read first and second times

Waters moved that the bill be referred to
Committee on Federal Relations

Richards moved as an amendment,
That the bill be placed on general orders,
which was lost,

The original motion was then carried
and the bill referred to Committee on
Federal Relations,

Mr President announced the signing
of C. B. 77047,

The following communication from
the House was received

House of Representatives

Helena M^t, March 10th 1887

Mr. President

I am directed by the House to

Sixtieth Day, Continued,
inform your Honorable body,
That:

The House concurs in Council Amend-
ments to H.B. No 57.

Mr Speaker has signed Bills Nos
61, 62, 57, 47 and J. R. No 14.

David Marks
Chief Clerk

Or motion of Callins.

The vote by which H.J.R. No 9 was lost
on yesterday was reconsidered, and the
Resolution passed by the following vote

Ayes: Batchelder, Cardwell, Collins,
Halliday, Hurdley, Richards,
Sutherland, Thompson, Watus.
Mr President 10.

Nays: Kennedy 1.

Absent: Pardee 1.

After agreed to

The following communication from the House
was received,

House of Representatives
Helena M.T.

Mar. 10th 1887

Mr President,

I am directed by the House to
inform your Honorable body.

That:

H.B. No 60, has passed the House
and is herewith transmitted.

David Marks
Chief Clerk

H.B. No 60 was referred to Committee
on Enrollment.

The following communication from
the Governor was received,

A communication was received from
the Governor announcing that he had
on this day approved H.B. No 15.

Council took a recess until 11.15 am.

(Continued)

11.15 am

Council resumed,
Mr President in the Chair
Roll called, Quorum present.

The following Report was received

Mr. President

Your Committee on Enrollment begs leave to report that C.B. No 57, to require the owners of barbed wire fences to keep them in repair, C.B. No 61 to amend Section 192 of the 4th Division of the Revised Statutes, C.B. No 62, to prevent persons from unlawfully wearing Grand Army or other badges, C.J.R. No 14 to defray the expenses of the joint Commission visiting the Penitentiary and Insane Asylum and C.B. No 47 to suppress contagious diseases among sheep, was presented to the Governor for his consideration at 10.45 am, March 10th Kennedy, Chairman

The following communication from the House was received,

House of Representatives,
Helena M.T. Mar 10th 1887.

Mr. President,

I am directed by the House to inform your Honorable body,

That:

H.B. No 101 is herewith returned with its history complete.

David Marks

Chief Clerk

H.B. No 101 was read first and second times

Motion moved that the rules be suspended, and the bill placed on its final passage.

The yeas and nays, being called for by Kennedy,

The motion was carried by the following

Sixth Day, continued

vote:

Ayes: Batchelder, Cardwell, Collins,
Haldaday, Hurdley, Richards,
Sethullen, Thompson, Watus
Mr. President 10,

Noes: Kennedy 1,
Absent: Pardee 1,

The bill was read the third time and
passed by the following vote:

Ayes: Batchelder, Cardwell, Collins,
Haldaday, Hurdley, Richards,
Sethullen, Thompson, Watus,
Mr. President 10,

Noes: Kennedy 1,
Absent: Pardee 1,

Title agreed to

The following communication from
the House was received,

House of Representatives
Helena, M.T.

Mar 10th 1887,

Mr. President;

I am directed by the House to inform
your Honorable body,

Messrs. Harwood, Marshall and
Wentle have been appointed as a
conference Committee on the part of
the House on H.R. No. 50,

C.B. No. 111, was laid on the table,
The House Judiciary ^{Committee} was appointed
as a Conference Committee on H.R.
No. 107,

H.R. No. 99 has been lost,

H.R. No. 92, and C.J.R. No. 15, have
passed the House and are herewith
transmitted

David Marks
Chief Clerk

In motion of

C.J.R. No. 15, was referred to Committee

This record is correct and
was signed by Mrs. F. C. Davis Chief Clerk

(Continued)

A.B. 71092 was read first and second times and placed on general orders.

The following Report was received,

Mr. President

The Committee on Enrollment, to whom was referred A.B. 71060 An Act concerning the inmates of public institutions, ask leave to report the same correctly enrolled.

Kennedy, Chairman

On motion of Kennedy

The Journal of today up to this date was approved.

On motion of Collins

Council took a recess until 2 P.M.
2 P.M.

Council resumed

Mr. President in the Chair,

Roll called,

Quorum present.

The following Report was received,

Mr. President,

Your Committee on Enrollment to whom was referred S. J. R. 71015, instructing the Secretary of the Territory to omit the publication of a certain alleged law, relating to protection of game, ask to report the same correctly enrolled.

Kennedy, Chairman,

Mr. President announced the signing of S. J. R. 71015, and A.B. 71060

The Council resolved itself into Committee of the whole for the consideration of general orders.

Sixtieth Day. (continued.)

Callins in the Chair,

Council resumed,
Mr President in the Chair,

A communication from the House was received

The Council resolved itself into Committee of the whole for the consideration of general orders,
Callins in the Chair,

Council resumed,
Mr President in the Chair,

The following Report was received
Mr President

The Conference Committee having under consideration H.B. No 50 have agreed to adopt Council Amendments as follows: 1st Amendment to Sec 2, = 2^d Amendment to Sec 3, 2^d Amendment to Sec 4, = 4th Amendment to Sec 7 changed so as to place Missiona County at \$600, - 5th Amendment to Sec 8 changed so as to place the County of Bergus in the list of Counties whose Treasurers shall receive \$1200 per annum 6th Amendment to Sec 11, changed so as to allow the Sheriff of each County in the Territory a salary of five hundred dollars in addition to the fees provided in said bill, 7th Amendment to Sec 13 changed so as to allow Probate Judges the same fees and per diem as Justices of the Peace in all civil and criminal cases. = 8th Amendment to Sec 15 - And said Committee recommend a Section requiring all Sheriffs to make out a detailed statement in all cases where the Territory or any County is liable for Costs showing distances and route traveled and places of starting and in what cases writs were issued involving such travel, and how many writs were received at such time

C. Harwood, Chairman of Committee on the part of House

Kelleysay, Chairman of Committee on part of Council

On motion of Callins,

The recommendations of the ~~Report~~ of the Conference Committee on H.B. No 50, and the amendments to the ~~bill~~ as therein recommended, were adopted

(Continued)

On motion of Cardwell,

The recommendations of the Committee of Conference on H.B. No. 50 and the amendments therein contained, were adopted.

H.B. No. 43, was referred to Committee on Enrollment.

The following communications from the House were read,

House of Representatives.

Helena M.T. Mai, 10th 1887.

Mr. President

I am directed by the House to inform your Honorable body

That:

The House adopted the Report of the Conference Committee on H.B. No. 30.

Mr. Speaker announced the signing of
C.B. No. 60 and C.J.R. No. 10,
David Marks.

Chief Clerk,

~~House of Representatives~~ House of Representatives,
Helena M.T. Mai 10th 1887

Mr. President

I am directed by the House to inform your Honorable body

That:

H.B. No. 104, has been lost.

David Marks

Chief Clerk,

The following Reports, were received,

Mr. President

Your Committee on Enrollment beg leave to report:

That H.B. No. 60, relating to discharge of insane persons, and C.J.R. No. 10, including the Secretary to omit the publication of an alleged law, were presented to the Governor for his consideration at 2.20 P.M. March 10th
Kennedy, Chairman

Sixtieth Day (Continued)

Mr. President

I am directed by the Committee of the whole to report, that H.B. No 98 to amend sections 587, 589, 590 and 596 of the Code of Civil Procedure, concerning eminent domain, and H.B. No 92, An Act concerning the registration of votes in incorporated cities and towns have been duly considered and recommended that they do pass

J. C. Collins, Chairman

H.B. No 92, was read the third time and passed by the following vote:

Ayes: Batchelder, Cardwell, Collins,
Holliday, Kennedy, Rickards,
Sutherland, Thompson, Waters
Mr. President 10,

Noes: Hurdley 1,

Absent: Parker 1,

Title agreed to

On motion of Rickards

The rules were suspended,

H.B. No 98 was read the third time by its title and passed by the following vote:

Ayes: Collins, Holliday, Hurdley, Rickards,
Thompson, Mr. President 6,

Noes: Batchelder, Cardwell, Kennedy
Thompson, Waters 5,

Absent: Parker 1,

Title agreed to

The following Report was received,

Mr. President:

Your Judiciary Committee has considered H.B. No 88, concerning fees of Sheriffs and Clerks, and begs to report the same back with the recommendation that it do pass.

(J. C. Collins, Chairman)
On motion of Collins the rules were suspended, ~~the bill~~ was
equally proposed & passed on a yeas and nays for third reading
H.B. No 88 was read the third time
and passed by the following vote

(Continued)

Ayes: Balchier, Cardwell, Collins,
Holladay, Hindley, Kennedy,
Rickards, Sutherland, Thompson,
Watson, Mr President 11

Noes: none 0,
Absent: Pardee 1,
Lille agreed to

A communication was received from the
Governor announcing his approval on this
day of C.R.'s Nos 33, 34, 45, 47, 62, 4, 61, 60
C.R.'s Nos 13 and 14

The following communication was received
and referred to the Committee on Grazing
and Stock Growing

Secretary of Montana,
Governor's Office,
Helena, March 10th 1887,

Gentlemen
of the Legislative Council,
I desire to withdraw the nominations
that I made on yesterday of H. Johnston
and C. R. A. Leakey as members of the Stock
Commission, for the reason that I have
learned since I sent in their names that
they are ^{all} members of this present Legislature
and of course on that account not
eligible. I now nominate in their room
and stead G. P. Lawford of Dawson
County and Joseph Scott ofuster
County.
Respectfully
P. H. Leslie.

Mr. President,
Your Judiciary Committee has considered
H.R. No. 107, jointly with a Committee
from the House and now recommends
that it do pass without amendments
J. C. Collins,
Chairman

On motion of Rickards
the rules were suspended.
H.R. No. 107 was read the third time.

Sixtieth Day, (continued)

by its title, and placed on its final passage.

The bill was lost by the following vote
 Ayes: Hundley, Rickards, 2
 Noes: Dalekeder, Cardwell, Collins,
 Halliday, Kennedy, Ruthlin,
 Thompson, Waters, Mr. President 9,
 Absent: (Pardee)

The President announced the signing of
 of H. Bills Nos 84, 89, 86, 101, 106, 97,
 and H. J. R. No 15.

The following communication from the
 House was received,

House of Representatives
 Helena, M. T., Mar. 10th 1887,
 Mr. President,

I am directed by the House to
 inform your Honorable body,
 That:

C. B. No 64 was, under suspension of the
 rules, read third time by title and lost,
 and is herewith transmitted.

The Speaker has signed H. B's Nos 89
 86, 106, 101, 97, 84 and H. J. R. No. 9.
 Because by unanimous consent intro-
 duced H. B. No 108. The rules were sus-
 pended, the bill was read a third time
 by its title and passed, bill agreed to
 and the same is herewith transmitted

David Marks
 (Chief Clerk)

H. B. No 108 was read first and second
 times.

On motion of Rickards

The rules were suspended.

The bill was read the third time by
 its title and placed on its final
 passage, and passed by the following
 vote.

(Continued)

Ayes: Dale Kelden, Cardwell, Allen, Halliday,
 Kaudley, Kennedy, Rickard, Sutherland
 Thompson Mr President 10,
 Nays: Watson 1,
 Absent: Pardee 1,
 Title agreed to

The following Report was received,

Mr President

The ways and means Committee to whom
 was referred C.B. No 13; "A bill for an act
 authorizing the deposit of public funds in banks,"

C.B. No 8 "An act in relation to the
 taxation of telegraph Co's". C.B. No. 28, "A
 bill for an act entitled an act to amend
 Section 1051 of the 3rd Division of the Revised
 Statute of Montana," having had the same
 under consideration most respectfully report
 the same back, with recommendations that they
 be laid upon the table.

Watson

Chairman

On motion of Collins, C.B's No's 8,
 13 and 28 were laid on the table.

The following report was received:

Mr President;

Your Committee on Enrollment
 to whom was referred C.B. No. 43, "An
 act to regulate the militia", ask to report the
 same correctly enrolled.

Kenedy

Chairman

The following report was received:

Mr President:

Your Committee on
 Grazing and Stock raising to whom was referred the
 communication of the Governor nominating as stock
 commissioners: J. S. Potts for the County of Lewis & Clarke

C. Wallace Payson " " Whotson

David Pratt " " Meagher

Alfred Myers " " Yellowstone

Lawrence Stuart " " Fergus

E. P. Longjoy " " Dawson

Joseph Scott " " Carter.

(Sixtieth Day Continued)

having continued the same, recommended that they be confirmed.

Monday.

Chairman.

On motion of Kennedy, the recommendation of the report was adopted, and the nomination of the persons therein named, as Stock Commissioners for the Counties for which they were respectively appointed, were confirmed by the following vote:

Ayes:	Batchelder	Caramer	Collins	
	Holliday	Kennedy	Kennedy	
	Richardson	Sutherland	Thompson	
	Waters	Mr. President		11

Noes:	None	0
Absent	Parau	1

On motion of Thompson, Council took a recess of thirty minutes.

Council resumed. Mr. President in the Chair. Roll called: Quorum present.

Mr. President announced the signing of C. B. No. 43.

On motion of Kennedy the Journal of proceedings up to 4 o'clock P.M. of this day was approved.

On motion of Kennedy the Council took a recess of fifteen minutes.

Council resumed.

Mr. President in the chair.

Roll called. Quorum present.

The following communications from the House were received.

House of Representatives
Helena M. T. Mich. 10/18/87.

Mr. President.

I am directed by the House to inform your honorable body, that Mr. Sheard has signed C. B. No. 43.

David Marks,

Chief Clerk

House of Representatives
Helena M. T. March 10. 1887

Mr. President,

I am directed by the House to

Sixth Day Continued

inform your honorable body that Mr. Speaker has signed H.B. Nos. 92 and 93.

David Marks.

Chief Clerk

The following report was received.
Mr. President.

Your committee on involvement begs leave to report that H.B. 48 - to regulate and improve the militia, was placed in the hands of the Governor for his consideration at 4.15 P. M. March 10th.

Kennedy.

Chairman
Mr. President announced the signing of H.B. Nos. 92 and 93.

Collins, by unanimous consent introduced H.B. No. 65. "An act to authorize the Commissioners of the County of Chocoma to build jails at the towns of Chocoma and Quit-Bullis".

The bill was read 1st and 2^d times. The order suspended the bill considered engrossed, read 3^d time by title and passed by the following vote.

Yeas: Barchelder Collins, Curawell, Humaker, Kennedy, Richard Schubert, Thompson, Walters and Mr. President
Total Ten.

Nays, none

Absent Parker, one

Quia agreed to.

On motion of Kennedy the Council took a recess until 8 P. M.

8 P. M. Council resumed,

Mr. President in the Chair.

Roll Called. Quorum present.

The following report was received.

Mr. President.

Your committee to whom was referred H.B. No. 9 a Bill for an act to reappoint the members of the Legislative Assembly, have considered the same, and return it without recommendation.

Chairman

Chairman

Sixtieth Day Continued.

The motion to indefinitely postpone A.B. No. 9 having been adopted, on call of the "Ayes and noes" the motion was sustained by the following vote.

(Ayes. Batchelder, Collins, Goodwin, Hurdley, Kennedy, Thompson, Waters and Mr President.

Total eight

(Noes. Richards and Hutchins - two.

Absent Stoddard and Parker

The motion of Waters to reconsider vote by which A.B. No. 9 had been indefinitely postponed, and lay was motion on the table, was adopted.

The following report was received.

(Mr. President,

Your Special Committee to whom was referred A.B. No 35 "A bill for an act to restrict the use of poison for bait in killing wild animals," have had the same under consideration, and beg leave to report the bill back without recommendation.

Thompson

Collins.

Hutchins

A.B. No. 35, reported by Special Committee, was indefinitely postponed.

On motion of Thompson the Council took a recess until 5.30 P.M.

5.30 P.M. Council resumed,

Mr President in the chair

Roll Called. Quorum present.

A communication from the Governor was received nominating Miss Lou Putnam as Librarian of the Montana Library

The communication was referred to the Committee on Education and Labor.

The following communication was received.

House of Representatives
Helena M.T. Mch 10. 1887

Mr President,

I am directed by the House to inform your honorable body that.

A.B. No 60 has passed the House and is

Sixtieth Day Continued

minutes transmitted.

David Marks.

Chief Clerk,

C.B. No. 63 was referred to the Enrolling Committee.

The following communication was received.

The Territory of Montana.

Governor's Office.

Helena, March 10, 1887

Gentlemen of the Council.

I have the honor to inform you that on this day I have approved and signed the bill No 43, which originated in your body and is entitled 'An act to amend an act entitled an act to organize and regulate the militia, approved March 10, 1885'

Respectfully

D. H. Leslie.

The following report was received.

(To President.

Your Committee on Education and Labor to whom was referred the nomination of Miss Lou Furber to be librarian of the Montana Library, beg leave to report back the same with the recommendation that said nomination be confirmed.

J. E. Rickards.

Chairman.

The nomination of Miss Lou Furber was confirmed by the following vote.

Aye. Batchelder, Collins, Caswell, Holliday, Humbley, Kennedy, Rickards, Sutherland, Thompson and Mr President,

Total Aye,

Nays. None.

Absent Parker and Waters.

On motion of Kennedy a recess was taken until 8 P.M.

Council resumed at 8 P.M.

Mr President in the chair.

Roll Called - Quorum present.

The following report was received.

Sixtieth Day Continued.

Mr. President:

Your Committee to whom was referred C.B. No. 68: - Relating to the apportionment of members of the House of Representatives in the Counties of Meagher and Gallatin, ask leave to report it correctly enrolled.

Searched,

Chairman

The following communication from the House was received.

House of Representatives
Helena M.T. March 10 1887

Mr. President:

I am directed by the House to inform your honorable body that C.B. No 65 was read first time and rejected, and is now with amendments. Mr Speaker announced the signing of H.B's. Nos. 88 and 98. The Governor has approved the following bills.
H.B's Nos. 65. 86. 101. 89. 87. 84. 106 and
N.J.R's Nos. 7. and 9.

David Marks,

Clerk.

(Collier by consent introduced C.B. No. 66 "An act to authorize the County Commissioners of the several Counties to build jails or lock ups".

Read first and second times, on motion of Collins, the rules were suspended, the bill was considered engrossed, read the third time by its title and passed by the following vote:

Ayes. Watchelder, Crowell, Collins, Holliday, Humbley, Kennedy, Richards, Stickland, Thompson, Waters and Mr President, 11
Noes none.

Absent Tamm

Dine agreed to.

Mr President announced the signing of C.B. No 63 also N. Bills Nos. 108. 88. 98 and 80.

The following communication from the House was received.

House of Representatives
Helena M.T. Mch 10. 1887

Mr President

I am directed by the House to

Lighted Day, Continued.

Council resumed.
 Mr. President in the chair.
 Roll called. Quorum present.

The following Communication from the House was received.

House of Representatives
 Helena M. T. March 10. 1887

Mr. President,

I am directed by the House to inform your honorable body, that
 C.B. No. 67 was read first and second times
 rules suspended, read third time by title and lost
 and the same is herewith transmitted.

David Marks,

Chief Clerk

House of Representatives
 Helena M. T. March 10. 1887

Mr. President,

I am directed by the House to inform your honorable body, that the House has adopted the report of the Conference Committee on H.B. No. 78.

David Marks

Chief Clerk

House of Representatives
 Helena, M. T. March 10. 1887

Mr. President,

I am directed by the House to inform your honorable body
 That

C.B. No. 66 has passed the House
 and the same is herewith transmitted.

David Marks
 Chief Clerk

C.B. No. 66 was referred to committee on enrollment.

The following communication from the House was received,

House of Representatives
 Helena, M. T. March 10. 1887

Mr. President,

I am directed by the House

to inform your honorable body,
That

The Governor has signed H.B. No. 93
David Quares
Chief Clerk.

Thompson offered the following resolution:

Resolved,

That the thanks of this body collectively and of the members individually, are hereby cordially tendered to our Honored President, Richard O. Hickman, who has so fairly, so ably, and so honorably presided over our deliberations, and who has won our personal friendship, as well as our respect and esteem.

Thompson.

The resolution was seconded by Kennedy, and was adopted by a unanimous vote, by rising.

Mr. President responded, by thanking the members heartily for their uniform kindness and courtesy towards him, and for their efforts toward creditable legislation and decorous sessions.

Council took a recess of twenty minutes.

Council resumed. Mr. President in the chair.

Roll called. Quorum present.

The following report was received

Mr. President,

Your Enrolling Committee to whom was referred H.B. No. 66, authorizing the County Commissioners to build jails, and lockups, asks to report the same correctly enrolled

Kennedy
Chairman

On motion of Rickards

The following resolution was adopted.
Resolved,

That the Council hereby express its thanks to Reuben L. Davis, Chief Clerk, Rev. R. E. Smith, Chaplain, and to all the other officers of this body for the able and efficient manner in which they have performed their respective duties.

J. E. Rickards.

On motion of Waters

The following resolution was adopted.

Be it Resolved by this Council, that a vote of thanks be, and hereby is extended to page, George Fausch, for the prompt manner in which he has attended to our wants, and fully discharged his duty as page, and that his course through life may meet with the same cheerful endorsement from his fellow men as does his endorsement at the hands of the Council.

E. L. Waters.

The following communication from the House was received:

House of Representatives
Helena, M.T., March 10, 1887.

Mr. President,

I am directed by the House to inform your honorable body that,

Our Speaker has signed H B No 73.

David Marks,
Chief Clerk.

The following communication was received from the House,

House of Representatives
Helena M.T., March 10, 1887.

Mr. President,

I am directed by the House to inform your honorable body that,

The Governor has signed Bills as follows:
 H. B. Nos. 88, 50, 98, 108, 92 and 93;
 David Marks,
 Chief Clerk.

Mr Speaker
 Announced the signing of H B
 No 36,
 David Marks
 Chief Clerk.

The following report was received:
 Mr. Speaker,

Your Committee on Enrollment beg
 leave to report that C. B. 66, authorizing County
 Commissioners to build jails was submitted
 to the Governor for his consideration at 10 P.M.
 March 10.

Kennedy, Chairman

A communication was received from
 the Governor announcing his approval of
 C. B. 63.

Mr President
 C. B. No. 66. Announced the signing of
 C. B. No 66, also H B No. H B No 73, and H B
 No 36.

The following communication from
 the House was received:

House of Representatives
 Helena, M. T., March 10, 1887.

Mr President,

I am directed by the
 House to inform your honorable
 body that,

The Governor has signed
 H. B. Nos. 73 and 36

David Mark
 Chief Clerk

The following communication was
 received:

House of Representatives
 Helena, M. T., March 10, 1887

Mr President,

I am directed by the House

to inform your Honorable body that the House has appointed as a Committee to wait upon the Governor and to ask his Excellency if he has any further communications to make with this Legislative Assembly Messrs. Blake, Marshall and Mantle and ask that a Committee of two be appointed by the Council to act with said Committee

David Marks

Chief Clerk

Collins moved that a Committee of three be appointed to act jointly with the Committee of the House to wait upon the Governor and learn whether or not he has any further communications to make to this Legislative Assembly.

which was carried and the Chair appointed Collins, Watur, and Luthulin such Committee

The Journal of proceedings up to this time was approved

The following Report was received,

Mr President

Your joint Committee has waited upon the Governor of Montana and find he has no other business to communicate to the Fifteenth Legislative Assembly.

He expressed his high appreciation of the labor and service of the Legislative Assembly and desired us to communicate his thanks to the Council and House for the courtesy and consideration with which

Legislature

We voiced the sentiment of the
Legislature in heartily thanking him
for his ^{unwavering} indefatigable
industry during the session
now about to close.

He informed us he had no other
business to communicate

Collins } Committee
Waters }
Luthin }

on the part of the Council

Journal read and approved

Prayer and benediction by the
Chaplain

The Council adjourned
sine die

Attest

R. D. Fickman
President of the Council

Reuben L. Davis
Chief Clerk